



Appeal Decision

Site visit made on 15 June 2026

by **V Goldberg BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 June 2026

Appeal Ref: APP/R5510/C/25/3364684

83 Freemans Lane, Hayes UB3 2NJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Harinder Singh against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 20 March 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a single storey rear extension ("the breach").
 - The requirements of the notice are to:
 - i) Demolish the single storey rear extension approximate position hatched blue on the attached plan.
 - ii) Remove from the land all the debris, items, fixtures and fittings, building material, plant and machinery resulting from the works listed above.
 - The period for compliance with the requirements is: Three (3) calendar months after this Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the Enforcement Notice (EN) is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal on Ground (a) and the Deemed Application for Planning Permission

2. An appeal under ground (a) is that planning permission should be granted for the matter alleged. The **main issues** are the effect of the single storey rear extension on:
 - the character and appearance of the dwelling and the significance of the Conservation Area; and;
 - the living conditions of the occupiers of 85 Freemans Lane in respect of daylight, sunlight and outlook.

Reasons

Character and Appearance and Conservation Area

3. The appeal site is located within the Hayes Village Conservation Area (CA). The significance of the CA is derived in part from its cohesive historic townscape, including its traditional building forms and materials, which collectively make a positive contribution to its historic architectural character and appearance.

Freemans Lane makes a positive contribution to the significance of the CA, and the section of the lane within which the appeal site is located is described in the Hayes Village Conservation Area Appraisal as an 'interesting, largely unaltered group of seven semi-detached properties in a loosely mock-Tudor style, arranged symmetrically along the street frontage'.

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. Due to exceeding the width of the dwelling, the development appears disproportionately large and visually dominant when viewed from the rear garden of the appeal site and neighbouring properties. Although the single-storey rear extension is not prominently visible from public viewpoints, the effect on the significance of the CA is not limited to public views. The extensions excessive scale creates a form that is out of keeping with the largely unaltered character of the surrounding semi-detached properties, undermining the cohesion and traditional form of this part of the CA.
6. While the rendered brown finish reflects, to some degree, the brown pebbledash at first-floor level, this limited similarity does not outweigh the extension's harmful impact. Its scale and form introduce an incongruous addition that fails to respect the original proportions of the host dwelling, resulting in a visually discordant feature that detracts from the character and unity of the wider group of semi-detached properties within the CA.
7. Paragraph 212 of the Framework advises that, when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. In this case, having regard to the scale and nature of the development, the identified harm to the significance of the CA would be less than substantial. Paragraph 215 of the Framework states that such harm should be weighed against the public benefits of the development.
8. The appellant has not identified any public benefits arising from the development and whilst the provision of additional living accommodation is principally a private benefit, the improvement of the housing stock could be deemed a public benefit. However, even if I were to treat it as such, given the scale of the development, this benefit would be afforded limited weight and would be insufficient to outweigh the less than substantial harm to the significance of the CA identified.
9. For the above reasons, the development has an unacceptable effect on the character and appearance of the dwelling and the significance of the CA. It therefore fails to preserve or enhance the character or appearance of the CA and conflicts with the duty under 72(1) of the Act. It is therefore contrary to Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1- Strategic Policies¹ (Local Plan- P1), Policies DMHB12, DMHB11, DMHB4 and DMHB1 of the Hillingdon Local Plan: Part 2- Development Management Policies² (Local Plan -P2) and Policies D4 and HC1 of the London Plan 2021. Collectively these policies aim to conserve and enhance conservation areas and require high quality good design that harmonises with local context taking into account scale and mass.

¹ Adopted in November 2012

² Adopted on 16 January 2020

Living Conditions

10. The appeal site is a two-storey semi-detached property. The adjoining semi-detached property, No. 81, forms the other half of the pair. No. 85 lies to the west of the appeal site and occupies a corner plot. As a result of its orientation, the rear elevation of No. 85 is angled towards the appeal property, resulting in a closer and more direct relationship with the appeal property's rear elevation and garden. The ground floor window closest to the shared boundary at No 85 serves a bedroom.

Daylight and sunlight

11. Due to its proximity and angle relative to the ground floor window of No. 85, the height and depth of the single-storey rear extension restricts the amount of daylight reaching this window. Furthermore, given the orientation and close relationship between the properties, there will be some reduction in sunlight to the bedroom at certain times of the day. This would adversely affect the living conditions of the occupiers of No 85.
12. The appellant refers to a garage that was of a similar height to the single-storey rear extension and considers that the difference between the structures would not materially affect the living conditions of the occupiers of No. 85. However, whilst a boundary wall and garage were previously present, the former garage did not project as deeply as the single-storey extension. Moreover, the development exceeds the height of the former boundary wall. As a result, the development gives rise to a greater restriction of daylight and sunlight to the ground floor windows of No. 85 than the previous arrangement.

Outlook

13. The single-storey rear extension has a harmful impact on outlook from the ground floor window of No. 85. This is because the development presents as a continuous and close-built form along the shared boundary, occupying a substantial proportion of the view from the ground floor window. The depth, height, and proximity of the development, together with its angled relationship to No. 85, create a dominant visual presence. This gives rise to a sense of enclosure and materially diminishes the outlook available to the occupiers of No. 85, to the detriment of their living conditions.

Conclusion on living conditions

14. For the reasons set out above, the development has a harmful effect on the living conditions of the occupiers of No. 85 Freemans Lane in respect of daylight, sunlight, and outlook. The development is therefore contrary to Policies BE1, DMHB11, and DMHD1 of the Local Plan -P2. These policies seek to protect the amenity of surrounding land and buildings, particularly residential properties, and to ensure that development does not adversely affect the daylight, sunlight, or outlook enjoyed by neighbouring occupiers.

Alternative Scheme

15. Section 177(1) of the Act allows me to grant planning permission in respect of the matters stated in the Notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the Notice relates. In this regard, the appellant has

suggested that a rendered finish could be applied to the development that matches the render on the property's first floor.

16. This 'alternative scheme,' i.e. a change of material finish forms part of the matters alleged, and therefore I can consider it. However, changing the external finish of the extension would not address the harm arising from its excessive width and scale. As a result, I do not consider that the alternative scheme would overcome the harmful impact on the character and appearance of the dwelling and the significance of the CA identified above nor would it address the harmful effect on the living conditions of the occupiers of No. 85 Freemans Lane in respect of daylight, sunlight, and outlook. In this respect, this alternative scheme would also not accord with the aforementioned relevant policies.

Conclusion on ground (a)

17. For the reasons given above, I conclude that the development and alternative scheme are contrary to the development plan, and material considerations do not indicate that the appeal should be determined otherwise than in accordance with that plan. The appeal under ground (a) therefore fails.

Appeal on Ground (f)

18. An appeal on ground (f) is brought on the grounds that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice as constituting a breach of planning control, or, as the case may be, remedy any injury to amenity which has been caused by such breach.
19. The EN requires the demolition of the single storey rear extension, therefore I am satisfied that the purpose of the EN is to remedy the breach of planning control.
20. The appellant submits that the harm arising from the development could be addressed by applying a render finish so that the materials of the development could complement the appearance of the dwelling. This alternative scheme was considered in the ground (a) appeal and would not overcome the harm identified.
21. The appellant further asserts that the requirement to remove the development is excessive when the appellant could rebuild, under permitted development rights to a depth of 3m. However, in the context of a ground (f) appeal, any lesser steps which would fail to achieve the purpose of the EN cannot be accepted.
22. As the notice does no more than seek remedy of the breach, it is not excessive. It is not therefore possible to vary the notice in the ways suggested by the appellant whilst achieving the purpose of the notice. There are no lesser steps drawn to my attention or any obvious alternatives that would remedy the breach of planning control which is the purpose of the notice.
23. On this basis, the ground (f) appeal fails.

Appeal on Ground (g)

24. An appeal on ground (g) is brought on the grounds that the period specified for compliance falls short of what is reasonable. Specifically, the appellant seeks an extension from three to six months to ensure that the family is not placed in

financial hardship. This is because it is claimed that the cost of the required work would not be insignificant.

25. Although the appellant seeks an extension of time on financial grounds, evidence has not been provided to support this claim. There is an absence of any documentation or detail relating to the appellant's financial circumstances or the anticipated cost of the works required to comply with the EN. In the absence of such information, the request for an extended compliance period is unsupported. Moreover, the demolition of the extension appears to be a relatively straightforward undertaking and does not justify the longer compliance period sought.
26. In determining what constitutes a reasonable period for compliance, I have had regard to the planning harm identified, which arises from the unauthorised development. The three month period represents a proportionate balance between allowing sufficient time to comply and ensuring that the breach of planning control is remedied promptly.
27. On the evidence before me, I am not persuaded that the compliance period is unreasonably short or that an extension to six months is necessary. Accordingly, the appeal on ground (g) fails.

Conclusion

28. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the EN and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

V Goldberg

INSPECTOR