



Appeal Decision

Site visit made on 13 January 2026

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal Ref: 6001088

40 Greenacres Avenue, Ickenham, Hillingdon UB10 8HH

- 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 Trevor Vince against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 66743/APP/2025/1777.
 - The development proposed is rear garden annexe building.
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Decision

1. The appeal is allowed and planning permission is granted for rear garden annexe building at 40 Greenacres Avenue, Ickenham, Hillingdon UB10 8HH in accordance with the terms of the application, Ref 66743/APP/2025/1777, subject to the following 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 2512-PL-L&B; 2512-PL-101 Rev. A; 2512-PL-102 Rev. A; and 2512-PL-103.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 2512-PL-103.

Main Issues

2. The main issues are:
 - whether or not the proposed annexe building would comprise a separate self-contained residential unit;
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance.

Reasons

Whether self-contained dwelling

3. Policy DMHD 2 of the Hillingdon Local Plan Part 2 (HLP) (2020) relates to outbuildings setting out several criteria for proposals to meet. These include that the use of the outbuilding shall be for a purpose incidental to the enjoyment of the dwellinghouse and not capable for use as independent residential accommodation.

The policy goes on to state that primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted. The proposed annexe building would have primary living accommodation including a bedroom, bathroom and kitchen facilities. In this respect, it would conflict with Policy DMHD 2 of the HLP.

4. *Gravesham BC v SSE & O'Brien* [1983] JPL 306 identified the distinctive characteristic of a dwellinghouse was its ability to afford, to those who used it, the facilities required for day-to-day private domestic existence. However, the judge in *Uttlesford DC v SSE & White* [1992] JPL 171 considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwellinghouse. In each case, it would be a matter of fact and degree. As per *Burdle v SSE* [1972] 3 All ER 240, a consideration of physical and functional connection is a useful tool for assessment.
5. The building would not be physically connected to the main dwellinghouse and given the positioning of the appeal site at a corner plot, it would be physically possible to create two separate vehicular and pedestrian accesses. However, the building would share a close spatial relationship to the main dwellinghouse with its entrance doors facing into a shared garden area, which would be impractical to separate.
6. Moreover, the appellant has outlined a strong functional connection between the proposed annexe building and the main dwellinghouse. I understand that the intended use of the building is for occupation by a family member of the main dwellinghouse to assist with growing care needs. It is presented that living activity such as the consumption of meals would be as a single family unit in the main dwellinghouse. Services such as electricity, gas and water would also be shared with the main dwellinghouse.
7. Taking all of the above factors into account, I am satisfied that the proposed annexe building would form part of ordinary living accommodation and that all occupiers would be regarded as a single household. On this basis, the proposed annexe building would not comprise a separate self-contained residential unit.
8. Whilst I have identified conflict with Policy DMHD 2 of the HLP in relation to the internal facilities of the building, given my conclusions that the building would not operate as a separate residential unit, I find that this particular scheme would not undermine the overall objectives of this policy.
9. On the basis of my findings, I find little relevance to Policies DMH 6, DMHB 16 or DMHB 18 of the HLP and Policy D6 of the London Plan (LP) (2021) which relate collectively to garden and backland development, housing quality and standards as well as standards for private outdoor amenity space. Policy D1 of the LP is also of limited relevance to the appeal proposal before me given that it relates to a more strategic approach to planning for growth.

Character and appearance

10. Policy DMHB 11 of the HLP relates to the design of new development requiring all development, including new buildings, to be designed to the highest standards taking into account the surrounding area. Policy DMHB 12 goes on to require development to be well integrated with the surrounding area. Policy D4 of the LP relates partly to maintaining design quality.

11. The appeal site occupies a corner plot in a primarily residential area. Thus, whilst the proposed annexe building would be positioned at the rear of the garden, it would still be visible in the wider street scene. Nevertheless, the building would be modest in its scale with a footprint which would be subordinate to the size of the main dwellinghouse. There are other similarly scaled outbuildings in the wider area (including at the adjacent plot at 42 Greenacres Avenue).
12. Despite reference within the decision notice to the character and appearance of the area, the Council has accepted within its officer report that the building would not detract from the visual amenities of the surrounding area. I see no reason to take a different judgement on this matter and have therefore identified no direct conflict with Policy D4 of the LP or Policies DMHB 11 and DMHB 12 of the HLP.

Living conditions

13. Policy D3 of the LP refers in part to a design led approach requiring development proposals to deliver appropriate amenity and help prevent or mitigate the impacts of noise. The Council is of the view that the use of the proposed building as a separate dwellinghouse would give rise to noise and general disturbance.
14. However, I have identified above that the proposal would form part of the living accommodation for the main dwellinghouse. The comings and goings associated with the proposal would be imperceptible in the residential context of the appeal site. I have therefore identified no harm to the living conditions of neighbouring occupiers, with particular regard to noise and disturbance and no direct conflict with Policy D3 of the LP.

Conditions

15. In the interests of certainty and clarity, I have imposed the standard conditions relating to the commencement of development as well as the approved plans. A condition requiring the building to be constructed in the materials stated on the submitted plans is necessary in order to maintain the character and appearance of the area.
16. The description of development is explicit that the building would be for use as an annexe. If the building were not to be used for such a purpose, or if there is a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission is not granted. As such, a condition controlling the use of the building is not necessary.

Conclusion

17. Notwithstanding the minor conflict with Policy DMHD 2, in the absence of identifiable harm, the proposal would comply with the development plan when read as a whole. There are no material considerations which indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be allowed.

L Gardner

INSPECTOR

Mr Benjamin Smith
Oakman Architectural Consultan
7 Denham Way
Denham
UB9 5AX

Application Ref: 66743/APP/2025/1777

Date of Decision: 29th September 2025

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES:** permission for the following:-

Application number: 66743/APP/2025/1777

**Date your planning
application was submitted:** 28th July 2025

Site location: 40 Greenacres Avenue Ickenham

Description:
Erection of single storey outbuilding to rear garden for use as annex, following demolition of existing garage.

Application submitted by: Mr Benjamin Smith

**Plans that this decision was
based on:** See attached Schedule of Plans

Permission is refused for the reason(s) listed below:-

1. The proposed development, by reason of the provision of facilities within the outbuilding and independent access to the outbuilding, would be tantamount to a separate self-contained residential unit in a position where such a dwelling would be unacceptable. Consequently, the proposed development would harm the area's character and appearance and the amenity of neighbouring residents. The proposal is, therefore, contrary to the National Planning Policy Framework (2024), Policies D1, D3, D4, and D6 of the London Plan (2021), and Policies DMH 6, DMHD 2, and DMHB 11, DMHB12; DMHB16 and DMHB18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

STANDARD INFORMATIVES

1. The decision to **REFUSE** planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1. Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies

DMHB 11 Design of New Development

DMHB 18 Private Outdoor Amenity Space

DMHD 2 Outbuildings

DMEI 12 Development of Land Affected by Contamination

LPP D4 (2021) Delivering good design

NPPF4 - NPPF4 2024 - Decision making
24

2. The decision to **REFUSE** planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Date of Decision: 29th September 2025

END OF SCHEDULE

R Johnson

Roz Johnson
Head of Development Management and Building Control

Address:
Development Management
Directorate of Place
Hillingdon Council
3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 66743/APP/2025/1777

SCHEDULE OF PLANS

2512-PL-001.	Received	26-06-0025
2512-PL-101 - Rev A.	Received	26-06-0025
2512-PL-102 - Rev A.	Received	26-06-0025
2512-PL-L&B.	Received	26-06-0025
2512-PL-103.	Received	26-06-2025

WHAT TO DO WHEN A HOUSEHOLDER PLANNING APPLICATION IS REFUSED

If your planning application is refused but you still want to pursue it, contact your local planning department.

If you think you could make changes that resolve the reasons for refusal, you may be able to amend your application and submit it again.

Amending your planning application

If you think you could change your application to respond to the reasons for refusal, contact us about what to do next. We can give you more information about deadlines and any fees for submitting an amended application

Residents Services
London Borough of Hillingdon
3 North, Civic Centre,
High Street, Uxbridge UB8 1UW

Email: planning@hillington.gov.uk

www.hillingdon.gov.uk

Appealing to the Planning Inspectorate

If you think the decision to refuse your application was incorrect, you may want to appeal to the Planning Inspectorate, which is an independent and impartial body.

If you want to appeal, the deadline is 12 weeks from the date on the decision letter, or 4 weeks if you've received an enforcement notice. Around 1 in 3 appeals is successful.

You'll need some documents to hand, so before you start, read the guidance and access the service at:

<https://appeal-planning-decision.planninginspectorate.gov.uk>

If you're unable to complete your appeal online call the Planning Inspectorate helpline on 0303 444 5000 (charges at a local rate).

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No.	Report of the Head of Development Management and Building Control	
Address:	40 GREENACRES AVENUE ICKENHAM	
Development:	Erection of single storey outbuilding to rear garden for use as annex, following demolition of existing garage.	
LBH Ref Nos:	66743/APP/2025/1777	
Drawing Nos:	2512-PL-L&B 2512-PL-001 2512-PL-101 - Rev A 2512-PL-102 - Rev A 2512-PL-103	
Date Plans received:	26-06-25	Date(s) of Amendments(s):
Date Application valid	28-07-25	

1. CONSIDERATIONS

1.1 Site and Locality

The application site is occupied by a detached bungalow on a corner plot at the western corner of the junction of Greenacres Avenue with St. George's Drive.

The site is set in a residential area of Ickenham with Breakspear Road set to the west and Swakeleys Road set to the south. The existing property has an existing side extension set back a significant distance from the main front wall. An existing garage is situated within the rear end of the garden with access provided onto St George's Drive. The site is not situated within a conservation area. It does however lie within a Critical Drainage Area. No other significant constraints are identified.

1.2 Proposed Scheme

The application seeks planning permission for the erection of an outbuilding to the rear garden for use as an annexe. The outbuilding would have an I-shaped footprint and would measure 9.55m at its longest and 6.5m at its widest. It would replace the existing garage within the rear garden. It would comprise a kitchen/diner, living room and separate bedroom with accessible bathroom.

1.3 Relevant Planning History

66743/APP/2011/1905

40 GREENACRES AVENUE ICKENHAM

Single storey side extension

Decision: 30-09-2011	Approved
66743/APP/2011/1207	40 GREENACRES AVENUE ICKENHAM
Single storey side extension and conservatory to rear.	
Decision: 26-07-2011	Refused

Comment on Planning History

As outlined above.

2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date: Not applicable
- 2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

10 neighbouring properties were consulted by letter dated 01-08-25. Consultation expired on 22-08-25.

1 letter of support has been received advising that such developments are crucial in promoting multigenerational living, enhancing sustainability, and alleviating pressures on the broader housing market and social care systems. The proposed annexe is intended to serve as an ancillary structure, maintaining a dependent relationship with the primary residence. It is essential that this relationship is preserved through appropriate planning conditions, ensuring the annexe does not function as an independent dwelling.

Officer note: The issues raised are addressed in the section below.

Highways - No objection.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1	(2012) Built Environment
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Part 2 Polices:

DMHB 11	Design of New Development
DMHB 18	Private Outdoor Amenity Space
DMHD 2	Outbuildings
DMEI 12	Development of Land Affected by Contamination
LPP D4	(2021) Delivering good design
NPPF4 -24	NPPF4 2024 - Decision making

5. MAIN PLANNING ISSUES

The main planning issues are the potential use of the outbuilding as a self-contained residential unit, the quality of accommodation that would afford future occupants, the visual impact on the character and appearance of the area, the level of impact on neighbouring residential amenities, parking provision, and highway safety. The key issue is whether the proposed development would be tantamount to the creation of a self-contained unit.

Policies D1 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context, delivering buildings and spaces that positively respond to local distinctiveness. Policy D3 states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states there is a presumption against the loss of gardens due to the need to maintain local character, amenity space, and biodiversity.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the use of an outbuilding shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation and primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

The Council aims to safeguard the character and appearance of an area and the amenity of local residents from inappropriate development, such as 'beds in sheds'. The Local Plan clearly states that the Council will strongly resist proposals for detached outbuildings which are considered to:

- i) be capable of independent occupation from the main dwelling and which effectively constitute a separate dwelling in a position where such a dwelling would not be accepted; or
- ii) result in an over dominant and visually obtrusive form of development and as a result have an adverse effect on the character and appearance of the dwelling and the wider locality.

Paragraph A1.17 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: Annexes designed specifically for the use of disabled or dependent elderly family members should be located at ground floor level and be fully accessible. An Access Statement should be submitted with the planning application. An annexe should not have a separate private entrance and must be connected internally to the existing property. Annexes which are capable of being used as (or easily adapted to) a fully self-contained unit will not be permitted.

Paragraph A1.32 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) also indicated that outbuildings should be 'incidental' and should not have facilities such as a bathroom, bedroom or kitchen. These facilities are considered to be primary living accommodation located within the main house. This is backed up by Policy DMHD 2 which states that the use of outbuildings

- iii) shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation

It has been established through case law that the distinctive characteristic of a dwellinghouse is its ability to afford those who use it with the facilities required for day-to-day private domestic existence (Gravesham BC v SSE & O'Brien). Section 254 of the Housing Act 2004 refers to basic amenities

comprising a toilet, personal washing facilities, and cooking facilities.

In *Burdle v SSE* 3 All ER 240, Lord Bridge explained that a "useful working rule" is that it should be assumed that the unit of occupation is the planning unit, unless some smaller unit can be recognised as the site of activities which amount in substance to a separate use both physically and functionally. As such, identifying whether the proposal would constitute a material change of use (and take place in a separate planning unit) requires an assessment of both the physical and function connection between the caravan or mobile home, and the main dwelling.

The submitted plans indicate the provision of a living room, kitchen, bathroom and one bedroom within the 60 square metre outbuilding. The applicant has advised that the proposal seeks to erect an annexe to provide ancillary accommodation for the applicant, who, due to advancing age and declining health, and support from his family, The applicant has advised that the annexe is essential to fulfil the care and support needs of the applicant, and the family is committed to addressing day-to-day requirements such as cooking, socialising, laundry, errands, appointments, and overall support.

From review of the site and the submitted information, it is clear that the outbuilding would be capable of being used independently from the main house at 40 Greenacres Avenue. The outbuilding would contain both a kitchen and separate living space as well as a bedroom and bathroom. There is a side access currently existing off St. George's Drive which is could be used independently from the main dwelling house. As a matter of fact and degree, it is considered that the proposed development would be tantamount to the creation of a self-contained residential unit. The outbuilding would also not be connected to the main dwelling and could therefore not be considered an annexe use.

It is noted within the accompanying Planning Statement that the space would be used by a family member with medical and mobility issues. Whilst Officers share some sympathies and understand the need for space closer to the remaining family, the scheme as it stands would create a separate living unit. In this instance, the harm from the new unit's location within the rear garden would outweigh the private benefits to the applicant and their family.

The building (in its proposed location) could be accessed from Greenacres Avenue. Given the kitchen/living room, bathroom facilities and one bedroom shown on the submitted plans, it is considered that on the balance of probability, the unit could be occupied separately to the main dwelling, and would be capable of use as a independent dwelling.

Although, it is advised that in circumstances where the creation of an additional dwelling would be unacceptable, it may be appropriate to impose a condition so that the extension or building permitted shall be used solely as ancillary accommodation to the main dwelling. However, as highlighted in the preceding paragraphs, the development would not provide ancillary accommodation but rather a self-contained residential unit. As such, a condition requiring the outbuilding to remain ancillary to the main dwelling is considered to not be enforceable, thus failing to pass the conditions tests set out in the NPPF (2024).

The proposed development, by reason of the provision of facilities within the proposed outbuilding, the size of the outbuilding and independent access to the proposed outbuilding, is considered capable of independent occupation from the main dwelling. As a result, the proposal would be tantamount to a separate self-contained residential unit in a position where such a dwelling would be unacceptable. Consequently, the proposed development would harm the character and appearance of the area and the amenity of neighbouring residents.

Using the outbuilding for living accommodation and as a separate residential dwelling would give rise to serious concerns about noise and general disturbance from uncharacteristic and unfettered comings and goings to and from the rear of the site. Therefore, the proposal could negatively impact the amenity of neighbouring occupiers

The proposal is, therefore, contrary to National Planning Policy Framework (2024), Policies D1, D3, D4, and D6 of the London Plan (2021) and Policies DMH6; DMHD 2 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and as such it is unacceptable.

Quality of Living Accommodation:

Policy D6 of the London Plan (2021) states that housing development should have a high-quality design and provide adequately sized rooms. Table 3.1 of the London Plan (2021) requires a one-person studio to have a minimum gross internal floor area of 37 sq. m. A single bedroom should have a minimum floor area of 7.5 square metres. A one-bedroom two-person property is required to provide 50 sq. m.

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space to provide an appropriate living environment. Policy DMHB 18 requires all new residential developments to provide good quality and useable private amenity space in accordance with Table 5.3, which requires a studio flat to have at least 20 sq. m. of private outdoor amenity space. Houses with four bedrooms or more are required to have at least 100 sq. m. of private outdoor amenity space.

With a gross internal area., the proposed self-contained residential unit would meet the minimum standard and provide a satisfactory standard of accommodation (regarding floorspace) for the future occupant. A modest rear garden area would serve the annexe to the rear, measuring 26 sq. m.

The proposal complies with Policy D6 of The London Plan (2021) and Policies DMHB 16 and DMHB 18 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020).

Character and Appearance:

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings, must harmonise with the local context by taking into account the surrounding settings. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the developed footprint of the proposed outbuilding must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees.

Paragraph A1.34 of the Hillingdon Local Plan: Part Two - Development Management Policies

(2020) states that as a general guide, an outbuilding should be no greater than 30 sq. m. and should not significantly reduce private amenity space or the landscape and ecological value of the garden. Outbuildings should respect neighbouring properties and should not result in the excessive loss of residential amenity, privacy, outlook, and overshadowing/sunlight.

Whilst the proposal has a footprint over that set out in Paragraph A1.34 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), it is considered that, on balance, given the site context, the outbuilding would be acceptable. The outbuilding would sit comfortably within the plot at the end of a relatively large garden. When viewed against the surrounding context, large lawful outbuildings of a similar size, the replacement of the existing outbuilding of similar scale, it is considered that, on balance, the proposal would appear sufficiently subordinate to the main dwellinghouse, although at the upper end of what would be considered acceptable in this regard.

Given the scale of the proposed building, its design and siting, and the context of the bigger host dwelling, deep and sizeable rear garden, and larger nearby outbuildings, it is considered that the outbuilding would not detract from the visual amenities of the surrounding area and would be acceptable, on balance, in this instance, complying with the aims of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12, and DMHD 2 of the Hillingdon Local Plan - Part Two (2020).

Impact on Neighbouring Residential Amenity:

Policy D3 of The London Plan (2021) states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact the amenity, daylight, and sunlight of adjacent properties and open space. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing to ensure development does not result in an increased sense of enclosure and loss of outlook.

The use of the outbuilding for living accommodation and as a separate residential dwelling would, however, give rise to concerns about noise and general disturbance from uncharacteristic and unfettered comings and goings to and from the rear of the site.

Therefore, the proposal would negatively impact the amenity of neighbouring occupiers, be contrary to Policies D3 and D6 of the London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), and as such, be unacceptable.

Parking and Highway Safety:

The parking provision would be unaffected by the proposed development.

Therefore, the proposal would comply with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) as it would not significantly exacerbate the demand for street parking or prejudice highway safety.

Conclusion:

As a matter of fact and degree, it is considered that the proposed outbuilding would provide a self-contained residential unit, thus creating a new planning unit.

A separate self-contained residential unit in this location would harm the character and appearance of the area and the amenity of neighbouring residents.

As such, the proposal would conflict with the policies in the NPPF (2023), The London Plan (2021), the Hillingdon Local Plan: Part One - Strategic Policies (2012), and the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

It is recommended that the application be refused.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposed development, by reason of the provision of facilities within the outbuilding and independent access to the outbuilding, would be tantamount to a separate self-contained residential unit in a position where such a dwelling would be unacceptable. Consequently, the proposed development would harm the area's character and appearance and the amenity of neighbouring residents. The proposal is, therefore, contrary to the National Planning Policy Framework (2024), Policies D1, D3, D4, and D6 of the London Plan (2021), and Policies DMH 6, DMHD 2, and DMHB 11, DMHB12; DMHB16 and DMHB18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
2. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMHB Design of New Development
11

DMHB Private Outdoor Amenity Space
18

DMHD 2 Outbuildings

DMEI 12 Development of Land Affected by Contamination

LPP D4 (2021) Delivering good design

NPPF4 - NPPF4 2024 - Decision making
24

Standard Informatives

- 1. The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance..

Part 1 Polices

PT1.BE1 (2012) Built Environment

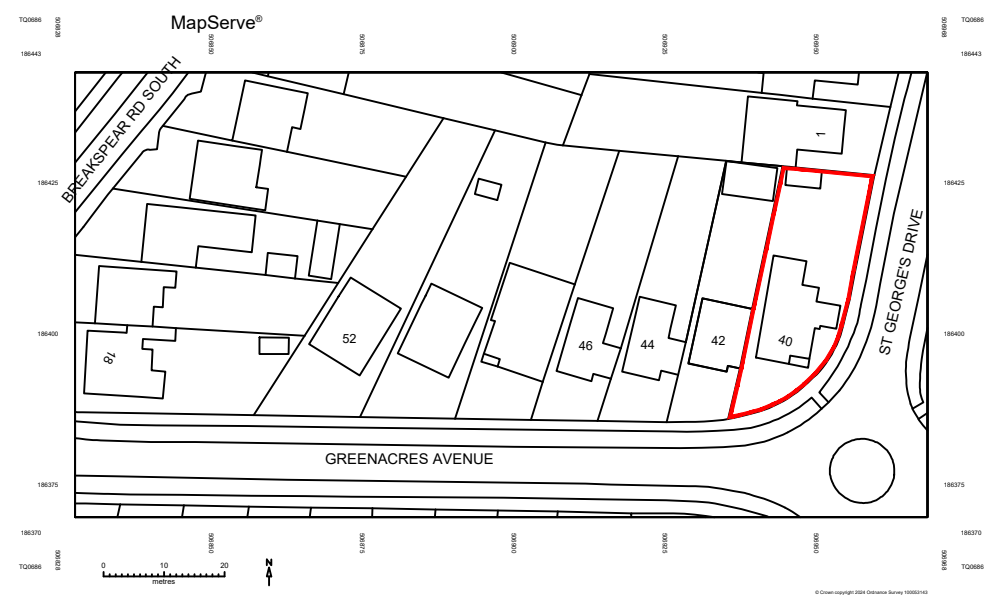
Part 2 Polices:

DMHB 11 Design of New Development
DMHB 18 Private Outdoor Amenity Space
DMHD 2 Outbuildings
DMEI 12 Development of Land Affected by Contamination
LPP D4 (2021) Delivering good design
NPPF4 -24 NPPF4 2024 - Decision making

Contact Officer: Sharon Singh **Telephone No:**



Block Plan
1 : 5 0 0



Location Plan
1 : 1 2 5 0

North

NOTES GENERAL:

- Work to figured dimensions and relative position only, confirm to designer
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- The contractor is responsible for all temporary works and for the stability of the works in progress

	19.06.25	BJS			
Revision	Date	Drawn	Designer	Checked	Approved
Revision History					

OAKMAN ARCHITECTURE.

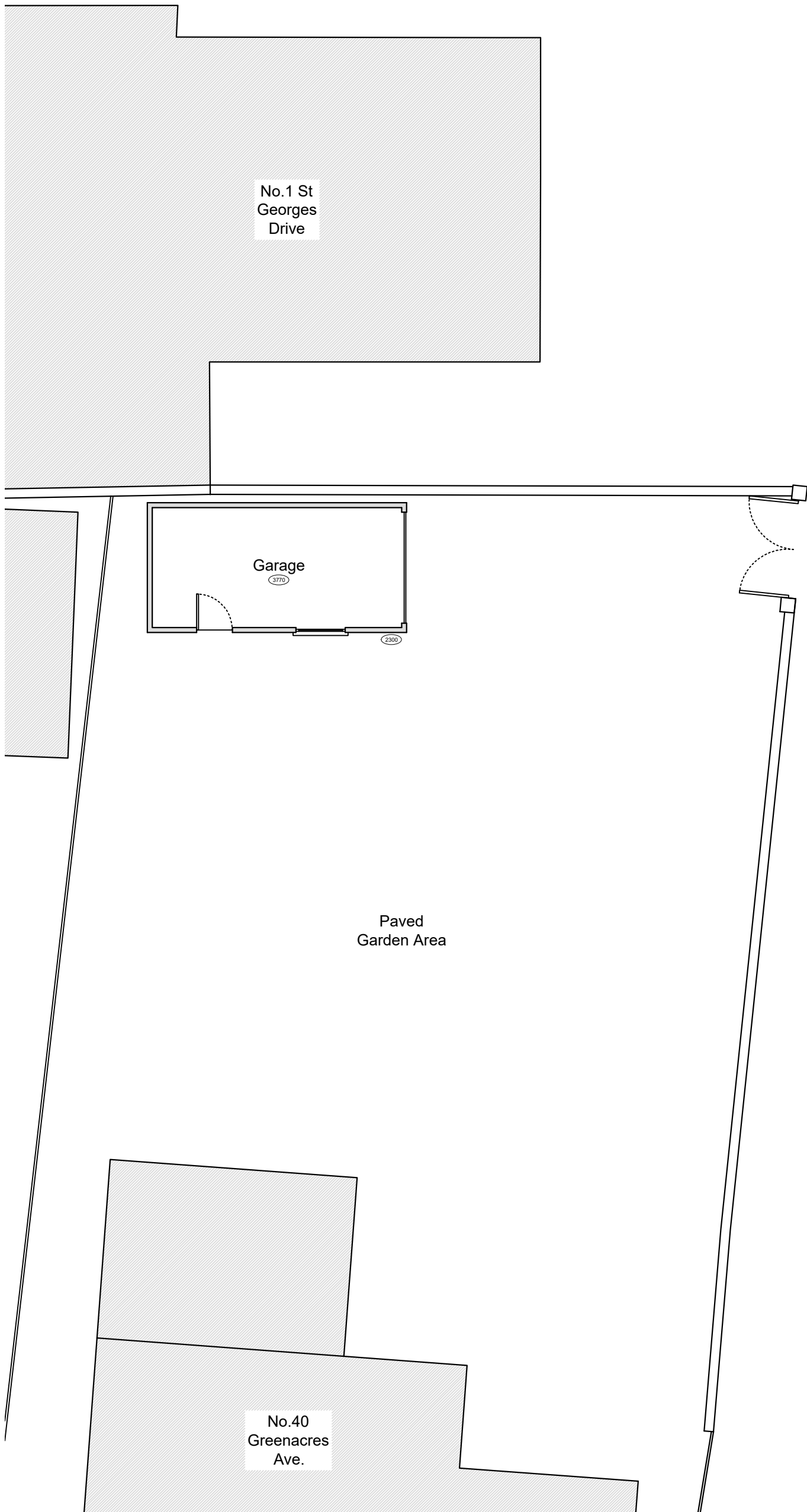
☎ **Address:**
7 Denham Way,
Denham
UB9 5AX

☎ **Mob :** 07787197752
E mail : benjamin@oakmanltd.com

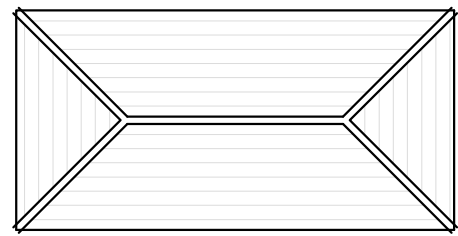
Project Address: 40 Greenacres Avenue Ickenham UB10 8HH	Client: Mr Trevor Vince
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LOCATION & BLOCK PLANS

Drawing Number: 2512-PL-L&B	Scales: 1:1250 & 1:500 © A3	Rev. No. —
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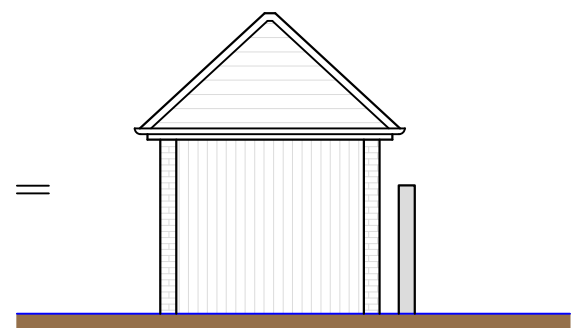
- NOTES GENERAL:-
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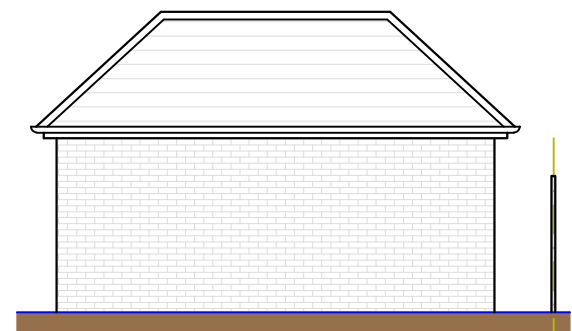
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1 : 1 0 0



○ F r o n t
1 : 1 0 0



○ S i d e 1
1 : 1 0 0



○ R e a r
1 : 1 0 0

	19.06.25	BJS			
Revision	Date	Drawn	Designer	Checked	Approved

Revision History

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Client:

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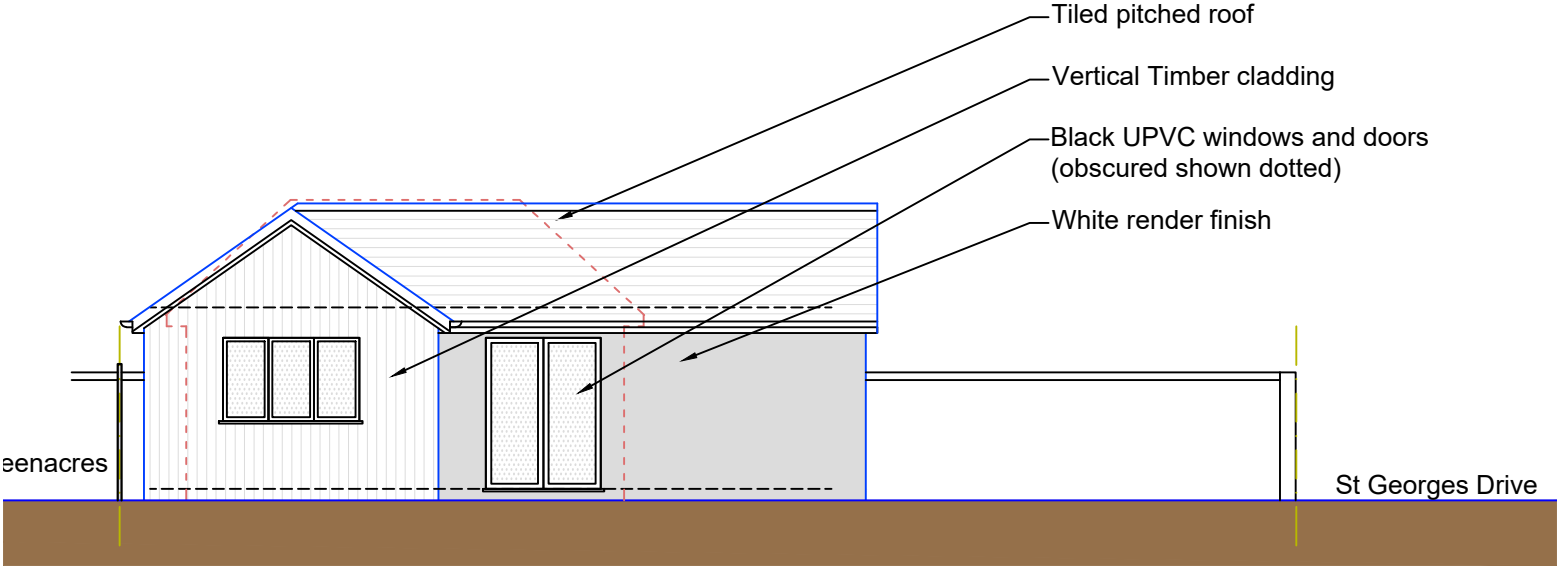
EXISTING

Drawing Number:
2512-PL-001

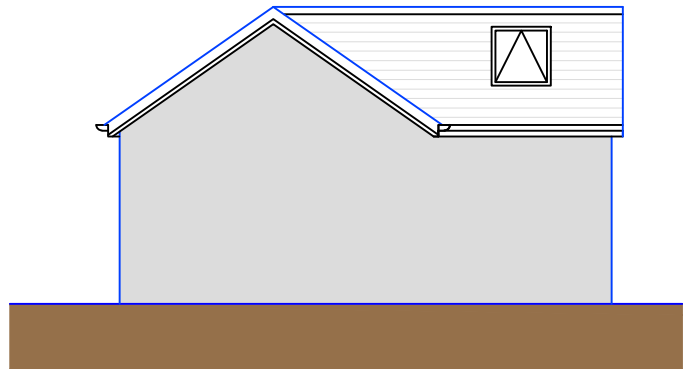
Scales:
1:50 © A3

Rev. No.
—

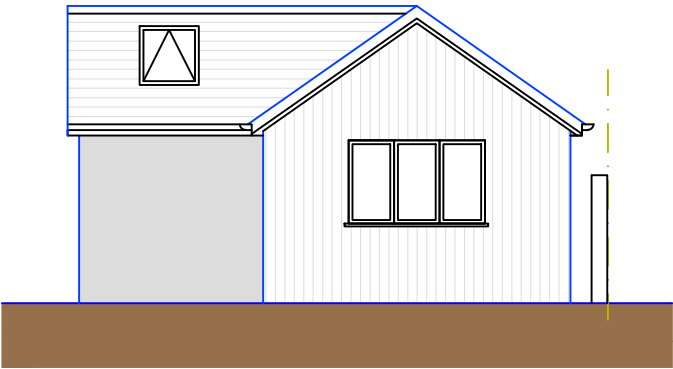
- NOTES GENERAL:
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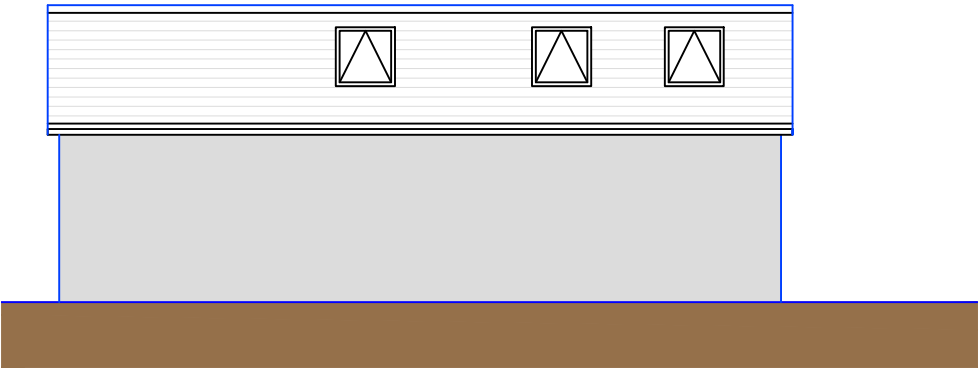
○ Front Elevation
1 : 1 0 0



○ Side Elevation 1
1 : 1 0 0



○ Side Elevation 2
1 : 1 0 0



○ Rear Elevation
1 : 1 0 0

	24.06.25	BJS			
Revision	Date	Drawn	Designer	Checked	Approved

Revision History

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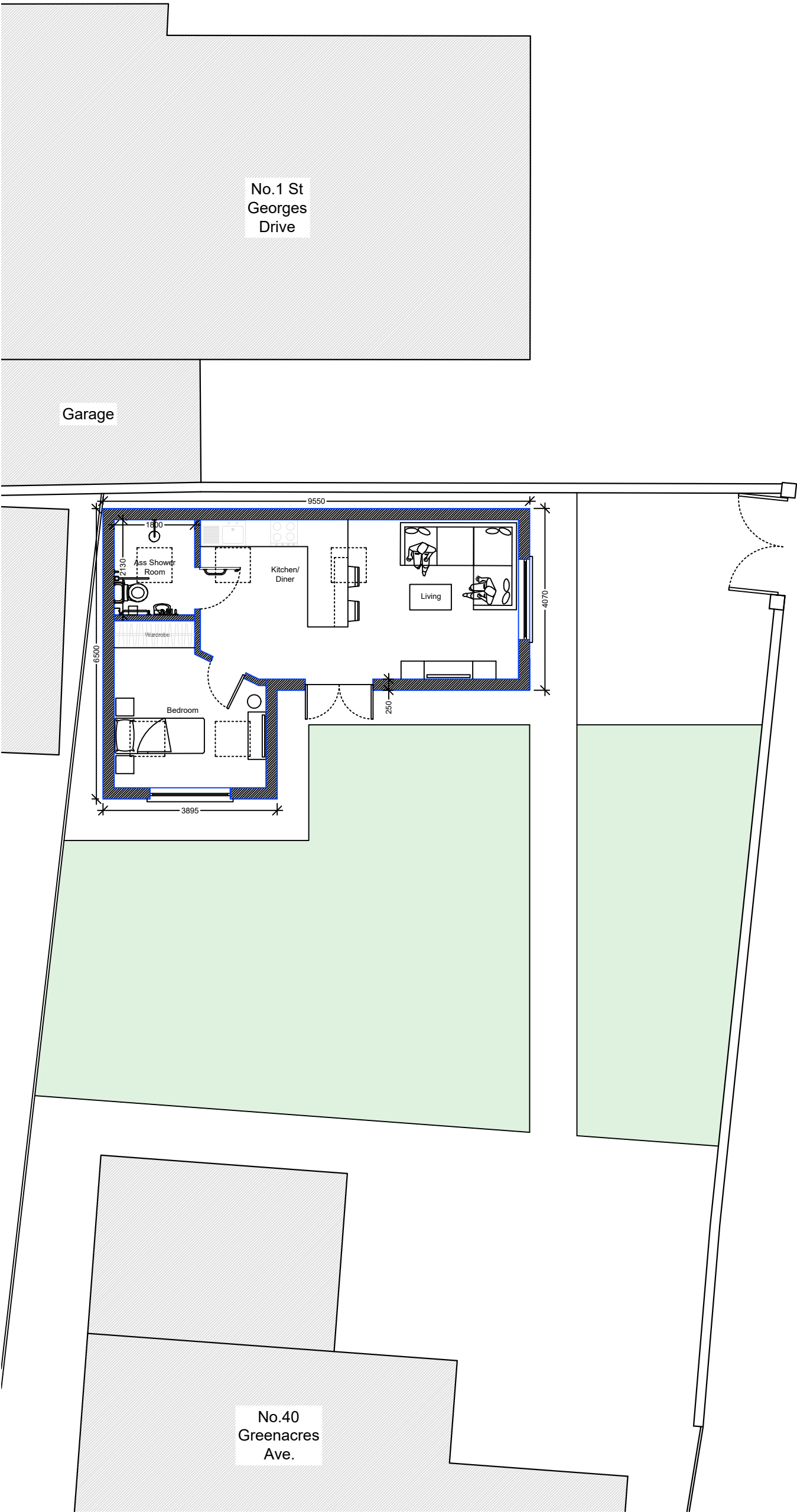
PROPOSED

Drawing Number:
2512-PL-103

Scales:
1:100 © A3

Rev. No.
—

1:100 0 1 2 5 10m



Ground Floor Plan
1:100

- NOTES GENERAL:**
- Work to figured dimensions and relative position only, confirm to designer
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	24.06.25	BJS			
Revision	Date	Drawn	Designer	Checked	Approved

Revision History

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Project Address:

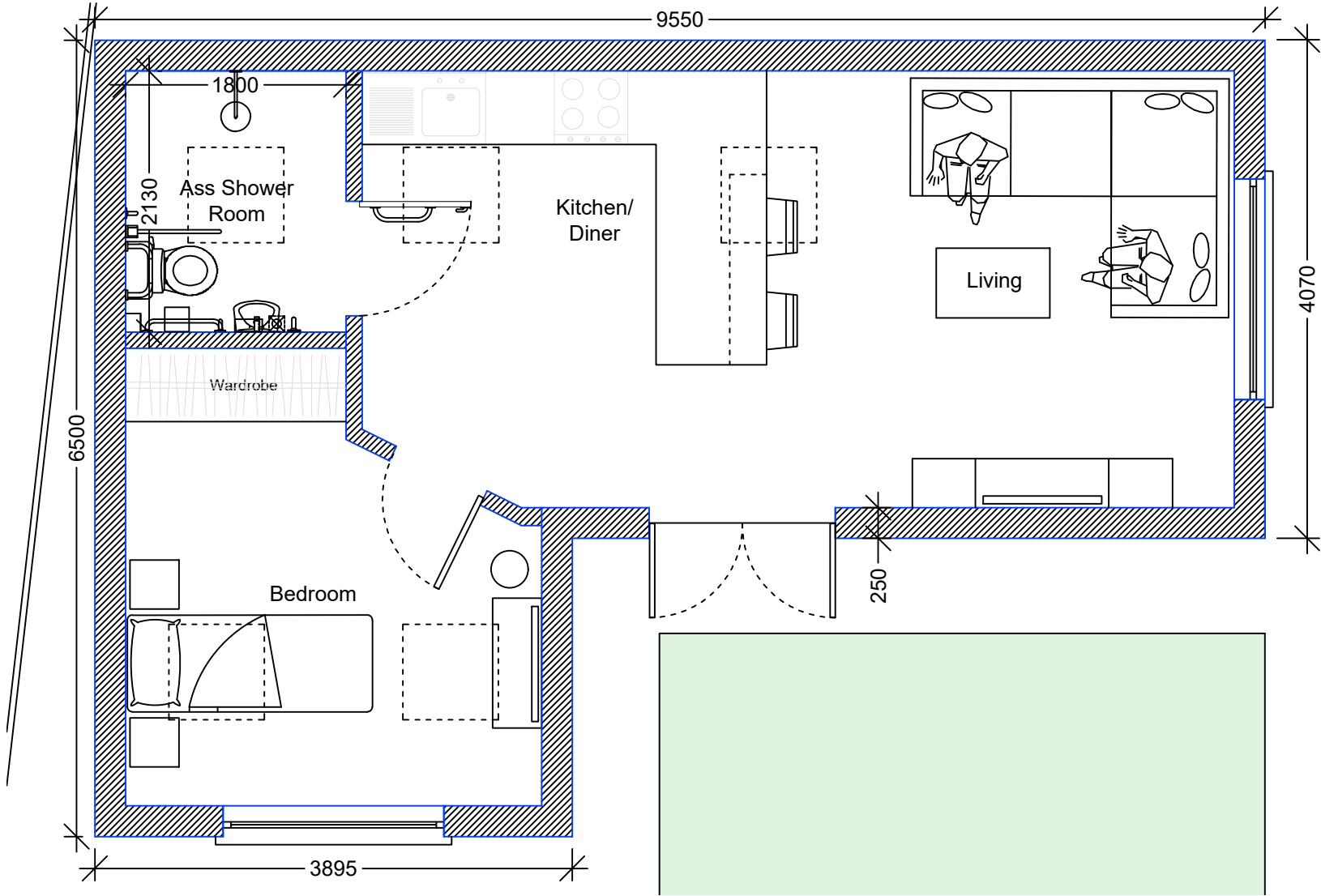
40 Greenacres Avenue
Ickenham
UB10 8HH

Client:

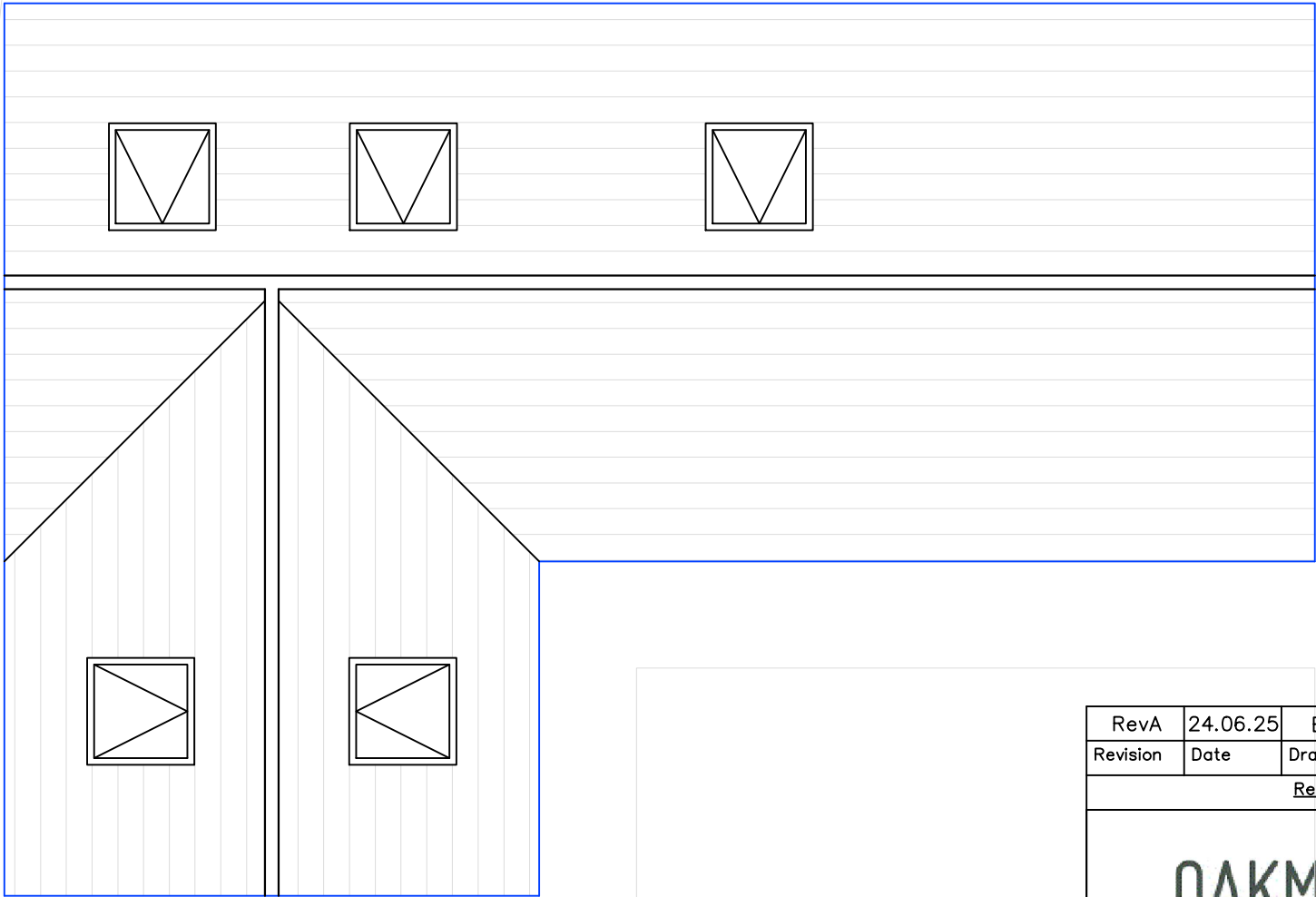
Mr Trevor Vince

PROPOSED

Drawing Number: 2512-PL-101
Scales: 1:100 @ A3
Rev. No. A



Ground Floor Plan
1 : 5 0



Roof Plan
1 : 5 0

NOTES GENERAL:

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RevA	24.06.25	BJS			
Revision	Date	Drawn	Designer	Checked	Approved

Revision History

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Client:

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PROPOSED

Drawing Number:
2512-PL-102

Scales:
1:50 @ A3

Rev. No.
A