

Amar Trivedi
Trivedi & Trivedi
166 London Road
Southend-On-Sea
SS1 1PH

Application Ref: 41959/APP/2025/1428

Date of Decision: 2nd September 2025

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT 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 **GRANTS** permission for the following:-

Application number: 41959/APP/2025/1428

**Date your planning
application was submitted:** 21st May 2025

Site location: 17 Lawson Gardens Pinner

Description:

Change of use of a detached outbuilding (formerly ancillary home gym) to a habitable ancillary accommodation and not be a separate dwelling. (Part retrospective planning application)

Application submitted by: Amar Trivedi

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

Permission is subject to the condition(s) listed below:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number:

1096/08/15-2-Rev-2

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no additional windows, doors, or other openings shall be constructed in the walls of the development hereby approved.

REASON

To ensure the outbuilding's sole access remains to be through the main dwelling's rear garden, the outbuilding remains ancillary to the main dwellinghouse, to safeguard the area's residential character and amenity, and to prevent the outbuilding's functioning as an independent dwelling without assessment or planning approval, in accordance with Policies DMHB 11, DMHB 18, DMHD 2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the outbuilding hereby permitted shall be used solely for purposes incidental to the residential use of the main dwellinghouse and shall not be used as a separate dwelling, unit of accommodation, or for independent occupation.

The outbuilding shall not include a kitchen, kitchenette, or cooking facilities.

REASON

To ensure the outbuilding remains ancillary to the main dwellinghouse, to safeguard the area's residential character and amenity, and to prevent the outbuilding's functioning as an independent dwelling without assessment or planning approval, in accordance with Policies DMHB 11, DMHB 18, DMHD 2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

2. The application site is located within the Critical Drainage Area. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water run-off from the site. Therefore, the applicant should minimise the water from the site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with the development should be directed to a soakaway, a tank, or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area; otherwise, it would need an additional permission. A water butt should be incorporated.

STANDARD INFORMATIVES

1. The decision to **GRANT** 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).

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies

NPPF12 NPPF12 2024 - Achieving well-designed places
-24

NPPF4 - NPPF4 2024 - Decision making
24

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D6 (2021) Housing quality and standards

DMEI 10 Water Management, Efficiency and Quality

DMHB Design of New Development
11

DMHB Housing Standards
16

DMHB Private Outdoor Amenity Space
18

DMHD 2 Outbuildings

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

2. The decision to **GRANT** 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).
3. You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
4. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.
5. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
6. You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
7. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

8. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
9. Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

10. You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.
11. To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
12. The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering

materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

Date of Decision: 2nd September 2025



Roz Johnson
Head of Development Management and Building Control

END OF SCHEDULE

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)

GRANT OF PLANNING PERMISSION

Application Ref: 41959/APP/2025/1428

SCHEDULE OF PLANS

1096/08/15-1-Rev-2.	Received	11-08-2025
1096/08/15-2-Rev-2.	Received	11-08-2025
Planning, Design, and Access Statement, August 2025, prepared by Trivedi & Trivedi.	Received	15-08-2025

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:	17 LAWSON GARDENS PINNER		
Development:	Change of use of a detached outbuilding (formerly ancillary home gym) to a habitable ancillary accommodation and not be a separate dwelling. (Part retrospective planning application)		
LBH Ref Nos:	41959/APP/2025/1428		
Drawing Nos:	1096/08/15-1-Rev-2 1096/08/15-2-Rev-2 Planning, Design, and Access Statement, August 2025, prepared by Trivedi & Trivedi		
Date Plans received:	21-05-25	Date(s) of Amendments(s):	11-08-25
Date Application valid	21-05-25		11-08-25 15-08-25

1. CONSIDERATIONS

1.1 Site and Locality

The application property consists of a two-storey, red-brick detached house under a concrete tile roof located on the northern side of Lawson Gardens. It is a corner plot at the end of the cul-de-sac.

The property has a detached single-storey outbuilding located in front of the house and to the side/rear of the neighbouring 18 Lawson Gardens. The Council granted planning permission for the applicant to convert this ancillary garage into an ancillary home gym, with alterations to the front elevation (see application reference 41959/APP/2019/2547). The front elevation, facing the street, has two windows. The entrance door is on the outbuilding's side elevation in the rear garden of the house. It's accessed via a garden gate towards the front of the main dwellinghouse. As part of this 2019 planning approval, there was a planning condition restricting the outbuilding's use. Condition 6 stated:

'The garage/gym hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings and shall not be used for purposes such as a living room, bedroom, kitchen, study, as a separate unit of accommodation or for any business purposes.

REASON

To avoid any future fragmentation of the curtilage or the creation of a separate residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13, BE15, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

Despite the restrictive condition, the applicant installed facilities to accommodate a living room, bedroom, kitchen, study.

Hardstanding car parking is at the front of the house and outbuilding. The rear garden is flat and enclosed.

The site lies within a Critical Drainage Area.

Similar two-storey properties line Lawson Gardens.

1.2 Proposed Scheme

The submitted application initially sought retrospective planning permission for the change of use of a detached outbuilding (formerly gym) to a habitable ancillary accommodation (not a separate dwelling).

Existing and proposed plans annotated the inside of the outbuilding as containing a 'living area', 'kitchenette', and 'shower room'. Of note, the bed/sitting area and kitchenette breach an existing planning condition.

Officers deemed this initial proposal unacceptable. The kitchenette, shower room, living and sleeping space, would enable the detached outbuilding to be capable of independent occupation from the main dwelling. It would be tantamount to a separate self-contained residential dwelling in a position where such a dwelling would be inappropriate, harming the area's character, failing to provide acceptable living conditions for occupants of the outbuilding, and harming the amenity of neighbouring occupants/residents.

Following discussions between the applicant and the Local Planning Authority, the applicant submitted revised plans and a revised Planning, Design, and Access Statement (received 15.08.2025). The applicant also agreed a revised description of development.

The revised application seeks planning permission for 'Change of use of a detached outbuilding (formerly ancillary home gym) to a habitable ancillary accommodation (to exclude kitchen/kitchenette/cooking facilities and not be a separate dwelling) (Retrospective planning application).'

The revised proposed plans and planning statement have removed the kitchen/kitchenette/cooking facilities from the proposal.

The ancillary outbuilding would still retain a bed/sitting area and toilet/shower room.

The outbuilding measures approximately 31 sq. m. of internal floor area, and no external changes are proposed.

1.3 Relevant Planning History

41959/APP/2021/2711

17 LAWSON GARDENS PINNER

First floor rear extension with rear and side Juliet balcony and raising of the ridge of the main roof.

Decision: 11-10-2021

Approved

41959/APP/2021/400

17 LAWSON GARDENS PINNER

First floor rear extension with rear and side Juliet balcony

Decision: 29-03-2021

Approved

41959/APP/2019/2547

17 LAWSON GARDENS PINNER

Two storey side extension, single storey rear extension, alterations to front, side and rear elevations and conversion of roofspace to habitable use to include a rear dormer, 8 roof lights in the rear roof slope and conversion of detached garage to gym to include alterations to front elevation

Decision: 03-10-2019

Approved

41959/APP/2005/3279

17 LAWSON GARDENS PINNER

Erection of a two-storey side extension with rear dormer window and front rooflight, conversion of existing and proposed roofspace to habitable accommodation involving the installation of 2 rear dormer windows to existing house, single-storey rear conservatory and new windows and entrance doors

Decision: 13-01-2006

Approved

41959/APP/2005/2190

17 LAWSON GARDENS PINNER

ERECTION OF A TWO STOREY SIDE EXTENSION WITH REAR DORMER AND FRONT ROOFLIGHT, SINGLE STOREY REAR CONSERVATORY, CONVERSION OF EXISTING AND PROPOSED ROOFSpace TO HABITABLE USE, INVOLVING THE INSTALLATION OF 2 REAR FACING DORMERS TO EXISTING HOUSE (WORKS ALSO INVOLVE THE INSTALLATION OF A FRONT ROOFLIGHT TO THE EXISTING HOUSE AND ALTERATIONS TO EXISTING ELEVATIONS INCLUDING THE ALTERATION OF FENESTRATION DETAIL, INCLUDING THE INSTALLATION OF ADDITIONAL FIRST FLOOR REAR WINDOWS)

Decision: 29-09-2005

Refused

41959/APP/2004/1368

17 LAWSON GARDENS PINNER

ERECTION OF TWO STOREY SIDE EXTENSION AND INSTALLATION OF A REAR BAY WINDOW AND ALTERATIONS TO THE FRONT AND REAR ELEVATIONS BY INSTALLING ADDITIONAL WINDOWS AND MAIN FRONT ENTRANCE (WORKS INVOLVE THE DEMOLITION OF A FRONT PORCH)

Decision: 12-07-2004

Approved

41959/APP/2004/671

17 LAWSON GARDENS PINNER

ERECTION OF A SINGLE STOREY DOUBLE SIZED DETACHED GARAGE AT THE FRONT (INVOLVING DEMOLITION OF EXISTING DETACHED GARAGE)

Decision: 29-04-2004

Approved

41959/APP/2004/672

17 LAWSON GARDENS PINNER

ERECTION OF A TWO STOREY SIDE AND REAR CONSERVATORY AND ALTERATION TO FRONT AND REAR ELEVATION BY INSTALLING ADDITIONAL WINDOWS AND MAIN FRONT ENTRANCE.

Decision: 29-04-2004

Refused

Comment on Planning History

The planning history is listed 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

The Council consulted seven neighbours and the Northwood Hills Residents Association by letter dated 05.06.25.

The consultation ended 26.06.25.

The Council received two comments:

'I would ask that the council has done its due diligence in regards to the application and the intention of its use as an ancillary dwelling and not a separate dwelling. Lawson Gardens is a peaceful residential estate and needs to remain so.'

'While the current use may be described as ancillary, we trust the Council will exercise due diligence in assessing the longer-term potential for independent use, and apply appropriate conditions to prevent future separation or sub-letting inconsistent with Policy DMH 4. Given the potential for additional residential activity over time, we would also note that Lawson Gardens is already at full parking capacity, and any increase - however gradual - could place further pressure on limited on-street space.'

Officer Comments: Officers are satisfied that in removing the kitchen/kitchenette/cooking facilities from the outbuilding that it would be ancillary to the main dwellinghouse - not a self-contained flat - subject to compliance with the attached planning conditions.

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

Part 2 Policies:

NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF4 -24	NPPF4 2024 - Decision making
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
DMEI 10	Water Management, Efficiency and Quality
DMHB 11	Design of New Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space

DMHD 2	Outbuildings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

5. MAIN PLANNING ISSUES

PRINCIPLE OF DEVELOPMENT AND AMENITY IMPACT:

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, respond to the existing character of a place, deliver appropriate outlook, privacy, and amenity, achieve indoor and outdoor environments that are comfortable and inviting for people to use, and be of high quality.

Policy D6 of the London Plan (2021) states housing development should be of high-quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose, and be designed with adequate and easily accessible storage space.

DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design, including.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require residential outbuildings to meet the following criteria:

- i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) the developed footprint of the proposed building 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;
- iii) the use 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 such as a bedroom, bathroom, or kitchen will not be permitted

Paragraph A1.17 within Appendix A 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.'

The subtext to Policy DMHD 2 states that 'An outbuilding which is considered to be 'incidental' does not require the provision of facilities such as a bathroom, bedroom, or kitchen. These facilities are considered to be primary living accommodations located within the main house. The Council will aim to safeguard the character and appearance of an area and the amenity of local residents from inappropriate development, such as 'beds in sheds'. 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 constitutes 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.

As a general guide, an outbuilding should be no greater than 30 square metres 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.'

As noted, planning application reference 41959/APP/2019/2547 permitted the home's ancillary garage to be altered and used as an ancillary home gym. The permission has the following condition imposed to prevent the use of the outbuilding for primary living accommodation or as independent living accommodation:

'The garage/gym hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings and shall not be used for purposes such as a living room, bedroom, kitchen, study, as a separate unit of accommodation or for any business purposes.

REASON

To avoid any future fragmentation of the curtilage or the creation of a separate residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13, BE15, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

Despite this restrictive planning condition, the outbuilding includes a living room/bedroom/study, which this application seeks to regularise retrospectively. A Council planning enforcement inspection in early 2025 also found a kitchenette, which the applicant has annotated on the submitted existing drawings. It also contains a shower room with a shower, toilet, and sink.

It has been established through case law that the distinctive characteristic of a dwellinghouse is its ability to afford those who use it 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.

The revised proposed drawings and revised planning statement, which removed the kitchenette from the proposal, ensure the outbuilding could not be used as a self-contained flat, independent of the main dwelling, as it would depend on the main dwelling's cooking facilities for day-to-day private domestic existence. Though the ancillary outbuilding would retain a pull-out sofa bed in the living area, as well as a separate room with a toilet, sink, and shower, these alone would not enable the outbuilding to be used as a self-contained flat.

A condition has been attached to ensure no additional openings are added to the outbuilding's elevations. This would ensure that access to the ancillary outbuilding would remain through the main dwelling's garden. There would be no front door access from the ancillary outbuilding onto the street.

Furthermore, an additional condition is attached to ensure the outbuilding is used solely for purposes incidental to the residential use of the main dwellinghouse and not as a separate dwelling, unit of accommodation, or for independent occupation. This condition restricts the outbuilding from ever containing a kitchen, kitchenette, or cooking facilities, or the ancillary outbuilding from having its own meters for water, gas, electricity, or a separate postal address. All services and utilities are conditioned to remain connected to the main dwellinghouse only.

This approach is supported by the Inspector's appeal decision reference APP/R5510/W/25/3361146, dated 19.08.2025, whereby PINS was satisfied that, subject to restrictive planning conditions, and although visiting family members would sleep in the outbuilding, the outbuilding would still remain ancillary to the main dwelling and not an independent and separate dwelling given the limited facilities in the outbuilding and its position in the garden close to the host house. The Inspector stated that 'the parents would still use the facilities in the main house and operate together as a single household; this would clearly be within the scope of an ancillary use.' The Inspector further stated that 'it is normal practice for ancillary accommodation including overnight sleeping to be controlled by a suitably worded condition to ensure it remains ancillary to the main dwelling, which can be enforced against as necessary' and concluded that they 'find that occupation of the development for sleeping for limited periods during the year would not result in any more material harm than if it were used as a home office or for other forms of ancillary living space.'

Council planning officers are satisfied that, subject to the attached conditions, the outbuilding would remain ancillary to the dwellinghouse, and, therefore, the ancillary outbuilding would be incidental to the main dwelling and used appropriately and not as a separate self-contained flat independent of the main dwelling.

The outbuilding measures approximately 31 sq. m. of internal floor area. The internal living space is undersized compared with the guideline minimum space standards for a studio flat (37 sq. m.) allowed for within the Government's Nationally Described Space Standards and is unacceptable as a self-contained flat. Notwithstanding, the applicant does not propose the outbuilding to be used as a self-contained flat and planning conditions restrict it from being used as such. Therefore, the 37 sq. m. floor space standard is not applicable.

The use of the outbuilding would be an ancillary habitable space treated as an extension to the existing house. As the dimensions of the outbuilding and its openings would not change, there are no concerns regarding overlooking, overshadowing, or any undue impacts on neighbouring residential amenity.

The proposal broadly complies with the aims of Policies D3 and D6 of the London Plan (2021) and Policies DMHD 2 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

HIGHWAY SAFETY AND PARKING:

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrians are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and

v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 to facilitate sustainable development and address issues relating to congestion and amenity.

Hardstanding exists to the front of the house and outbuilding, providing off-street parking. Though not delineated, there is space for at least two cars to park onsite. The use of the outbuilding as an ancillary habitable space would be treated as an extension to the existing house and, as such, would not require additional car parking. No alterations are proposed to the parking or access to the front of the dwellings.

The development complies with Policies DMT 1, DMT2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

SUSTAINABLE WATER MANAGEMENT

Policy DMEI 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that developments make adequate provision for controlling and reducing surface water run-off rates.

The application site is located within a Critical Drainage Area. The applicant does not propose ground works. Therefore, it would be unreasonable to require a Sustainable Water Management Scheme for the proposal. Notwithstanding, an informative is attached to inform the applicant of their responsibilities to reduce surface water run-off from the site would have been attached if the application had been granted planning permission.

The development complies with Policy DMEI 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

CONCLUSION:

It is recommended to grant planning permission subject to conditions.

6. RECOMMENDATION

APPROVAL subject to the following:

1. HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number:

1096/08/15-2-Rev-2

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no additional windows, doors, or other openings shall be constructed in the walls of the development hereby approved.

REASON

To ensure the outbuilding's sole access remains to be through the main dwelling's rear garden, the outbuilding remains ancillary to the main dwellinghouse, to safeguard the area's residential character and amenity, and to prevent the outbuilding's functioning as an independent dwelling without assessment or planning approval, in accordance with Policies DMHB 11, DMHB 18, DMHD 2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

4. RPD13 Restrictions on outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the outbuilding hereby permitted shall be used solely for purposes incidental to the residential use of the main dwellinghouse and shall not be used as a separate dwelling, unit of accommodation, or for independent occupation.

The outbuilding shall not include a kitchen, kitchenette, or cooking facilities.

REASON

To ensure the outbuilding remains ancillary to the main dwellinghouse, to safeguard the area's residential character and amenity, and to prevent the outbuilding's functioning as an independent dwelling without assessment or planning approval, in accordance with Policies DMHB 11, DMHB 18, DMHD 2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

2. The application site is located within the Critical Drainage Area. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water run-off from the site. Therefore, the applicant should minimise the water from the site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with the development should be directed to a soakaway, a tank, or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area; otherwise, it would need an additional permission. A water butt should be incorporated.

Standard Informatives

1. The decision to GRANT 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 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 GRANT 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:

NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF4 -24	NPPF4 2024 - Decision making
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
DMEI 10	Water Management, Efficiency and Quality
DMHB 11	Design of New Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 2	Outbuildings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts

3. You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
4. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control that is considered to cause harm to local amenity.
5. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
6. You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
7. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM.
8. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

9. Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

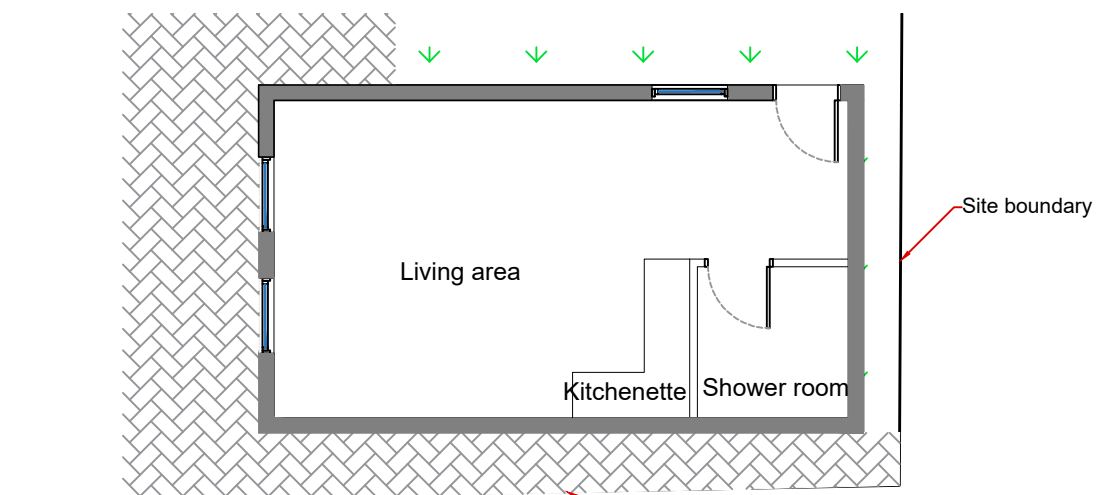
10. You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
11. To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
12. You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer:

Alan Corcoran

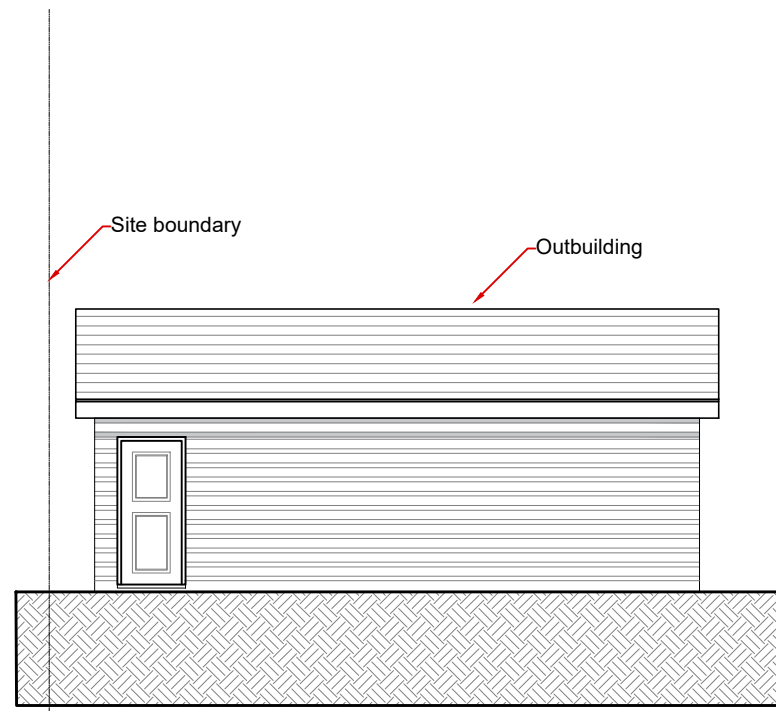
Telephone No:

01895 250230



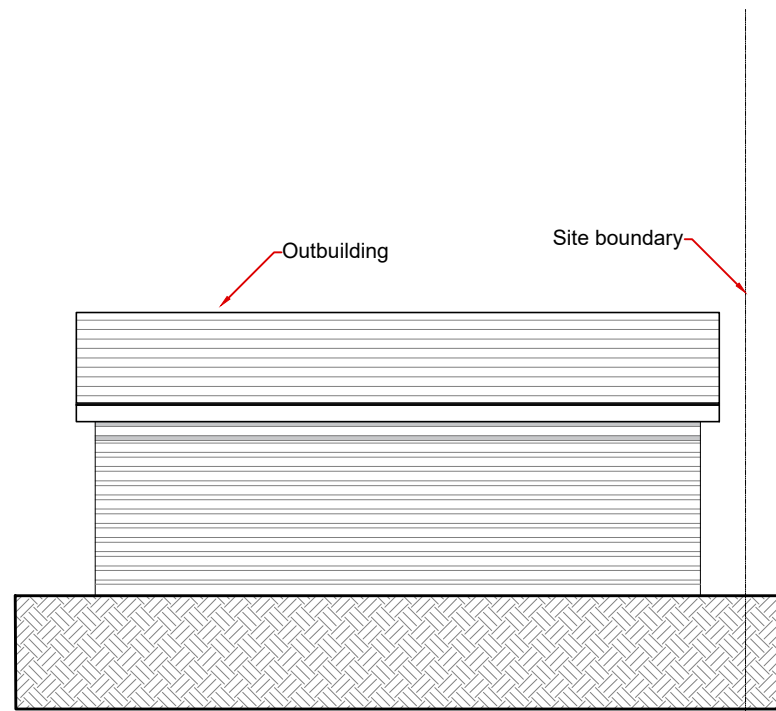
1 Existing Ground Floor Plan (Outbuilding)

Scale: 1:100



2 Existing North Elevation (Outbuilding)

Scale: 1:100



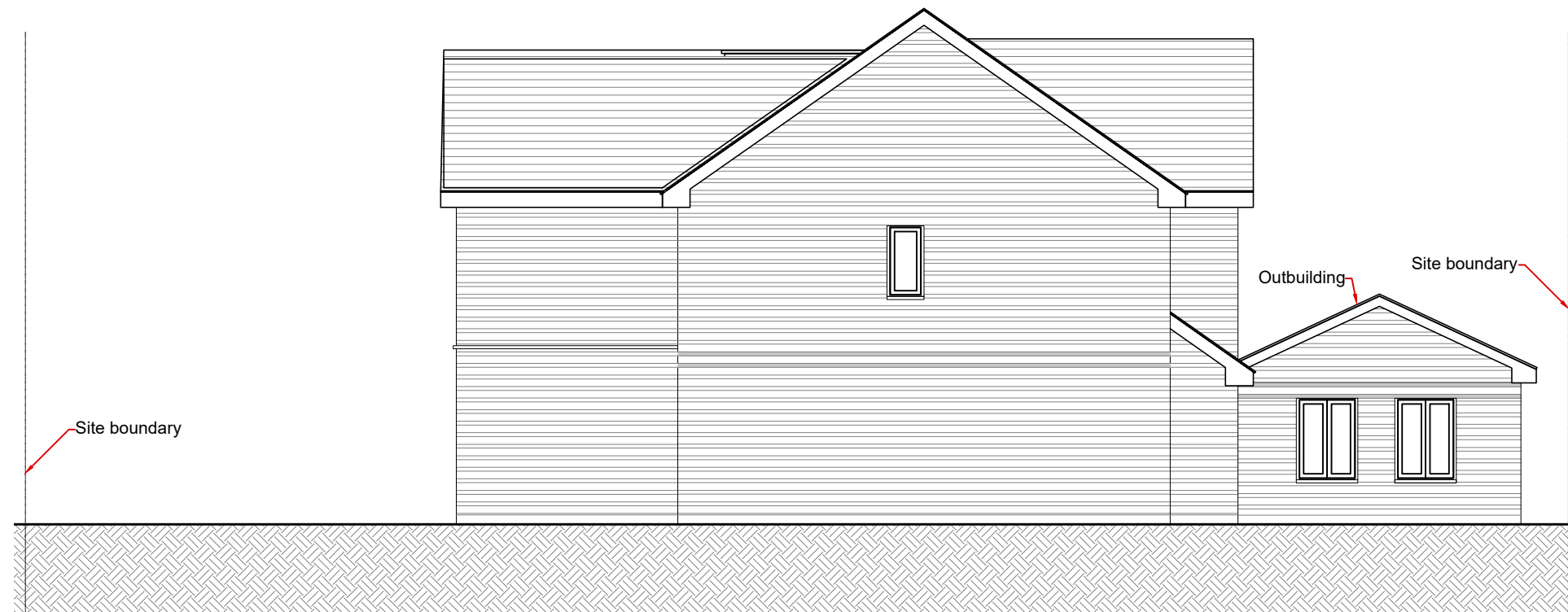
3 Existing South Elevation (Outbuilding)

Scale: 1:100



5 Existing South Elevation

Scale: 1:100



6 Existing West Elevation

Scale: 1:100



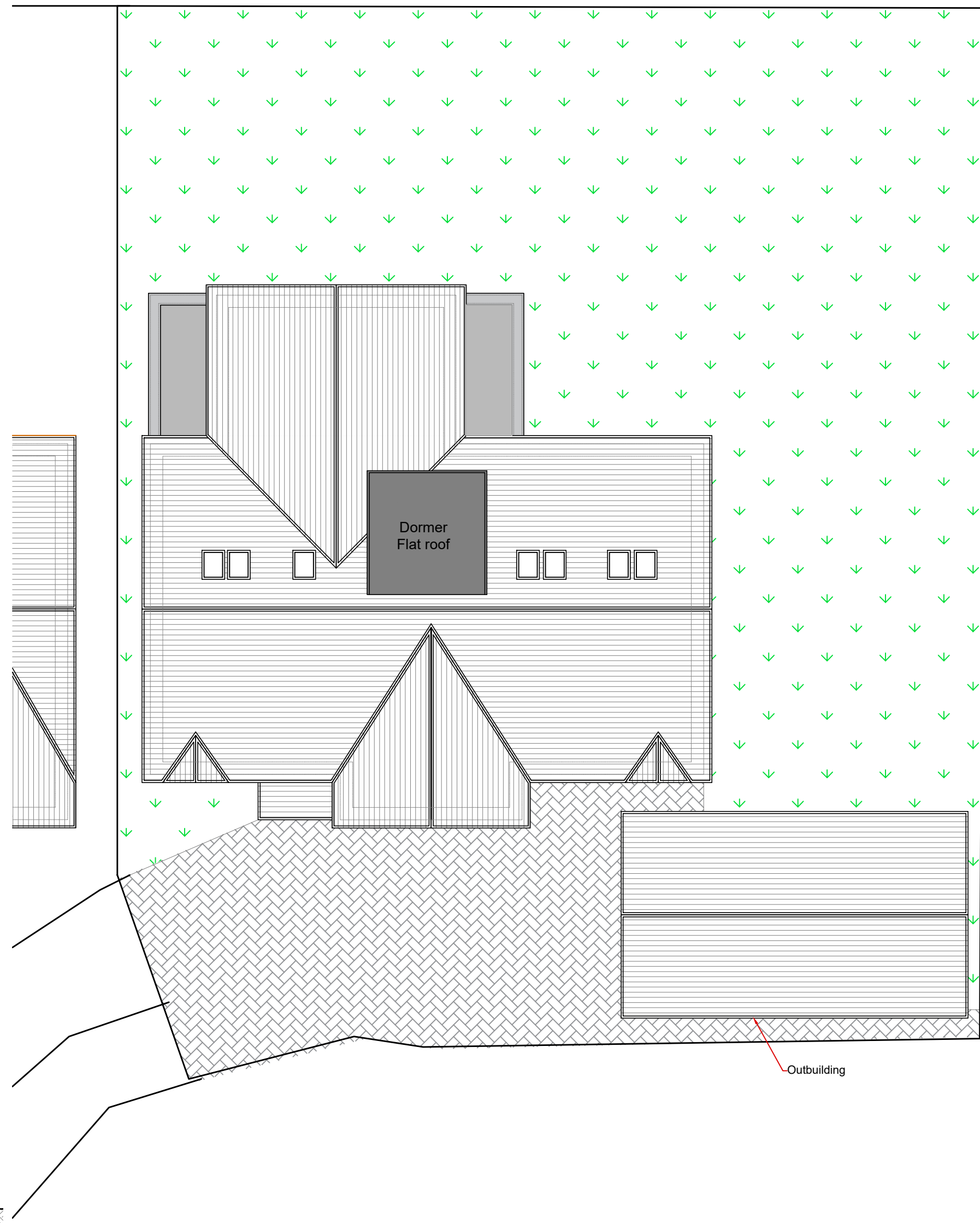
7 Existing North Elevation

Scale: 1:100



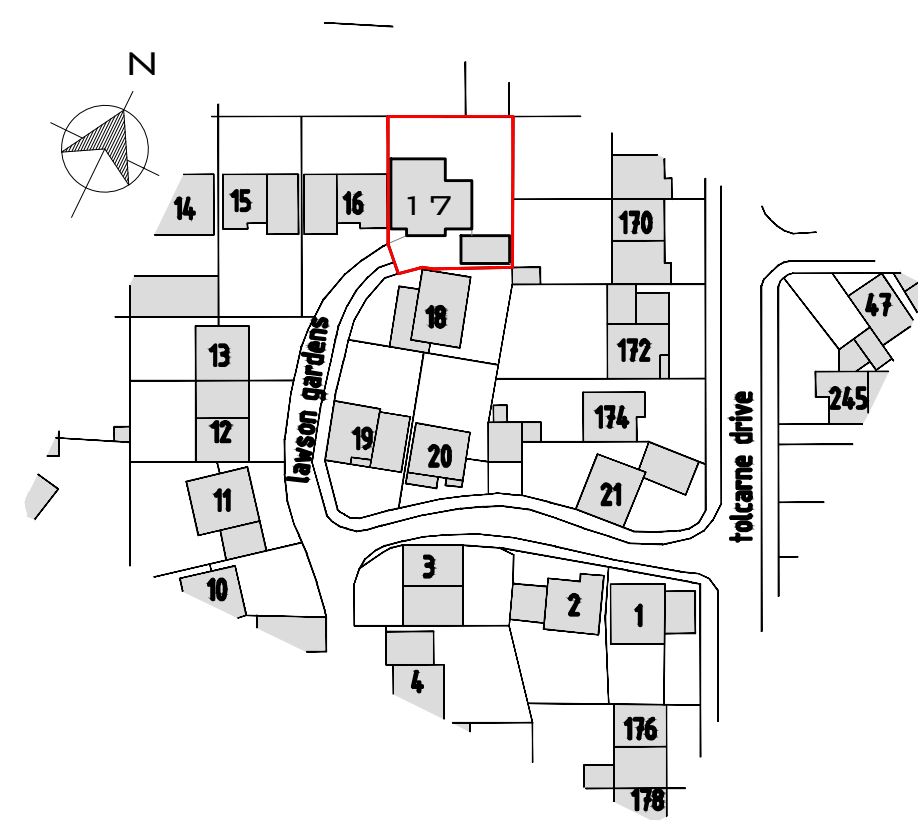
8 Existing East Elevation

Scale: 1:100



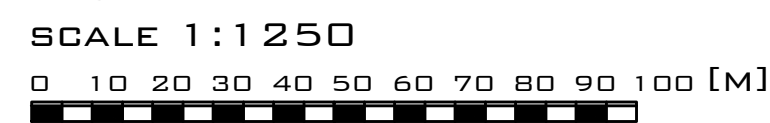
4 Existing Roof Plan - Site Plan

Scale: 1:100



9 Location Plan

Scale: 1:1250



SPECIFICATIONS

All dimensions to be checked & agreed on site prior to commencement of works & ordering of materials. Any discrepancies to be reported to Trivedi & Trivedi. Contractor to be made aware that there may be alterations to the original plan to suit local authority amendments until building control plan approval is obtained, thus it is advised that building work is not commenced until building control approval is obtained. Refer to Structural engineers drawings and details for structural manifestations on this drawing, indicative only and is to be updated depending on Structural engineers details, drawings and calculations.

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Revision:

1.April 2025- Retrospective application for Habitable Outbuilding

TRIVEDI & TRIVEDI

Architecture – Interior Design

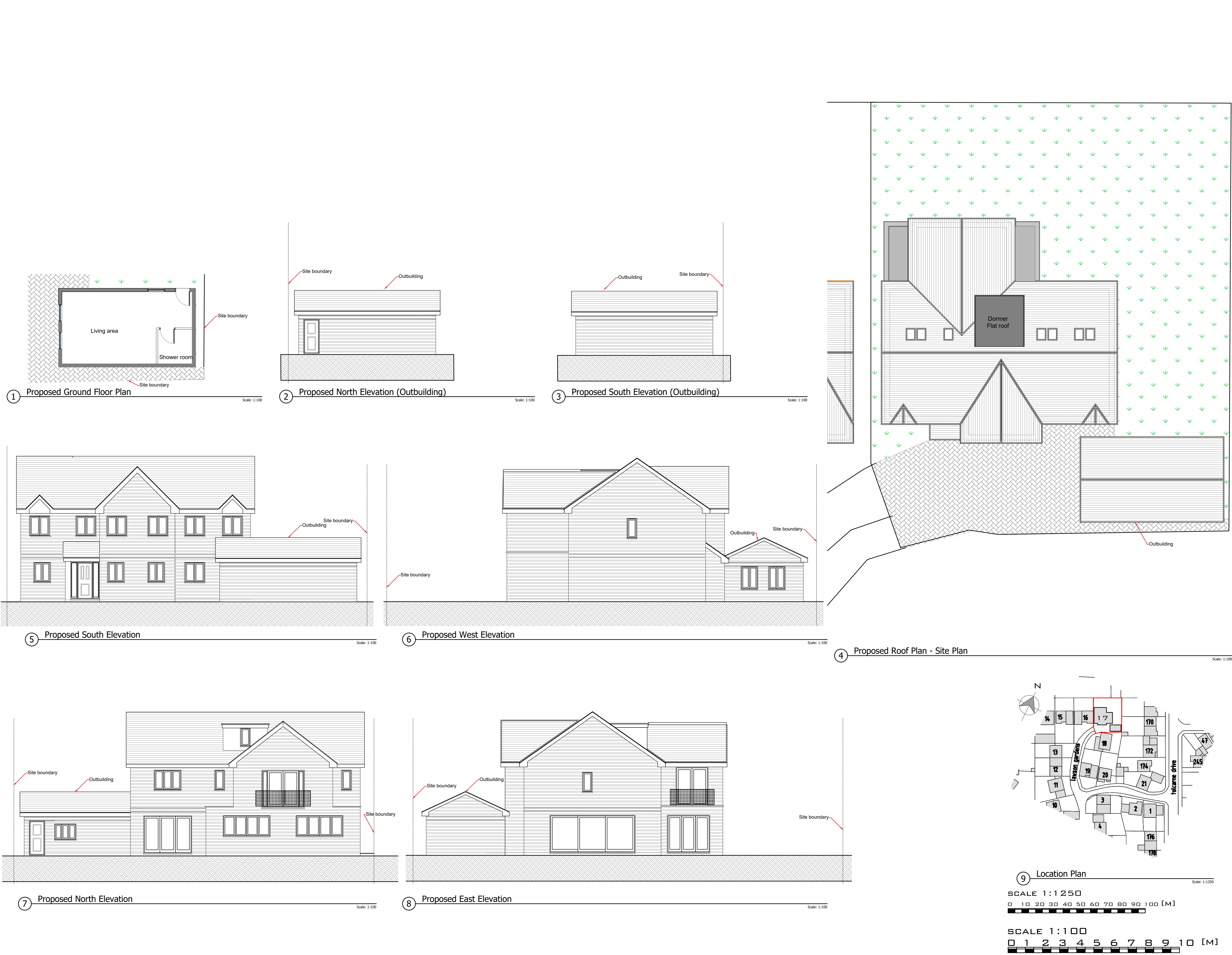
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CLIENT Shah

SITE ADDRESS 17 Lawson Gardens
Pinner, HA5 2EB

SCALE 1:100-1:1250	DATE 08/2025	DRAWN BY	DESIGNER
DWG No 1096/08/15-1	TITLE Existing	REVISION 2	STATUS



SPECIFICATIONS			
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Revision: 1.April 2025- Retrospective application for Habitable Outbuilding			
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SITE ADDRESS		17 Lawson Gardens Pinner, HA5 2EB	
SCALE 1:100-1:1250	DATE 08/2025	DRAWN BY	DESIGNER
DWG No 1096/08/15-2	TITLE Proposed	REVISION 2	STATUS