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## Appeal Decision

Site visit made on 14 November 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 26 November 2025**

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**Appeal Ref: APP/R5510/D/25/3372558**

**52 Copperfield Avenue, Hillingdon, UB8 3NX.**

- 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 Faisel Ali against the decision of Hillingdon Council.
  - The application Ref is 59235/APP/2025/1205.
  - The development proposed is retention of outbuilding in rear garden.
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### Decision

1. The appeal is allowed and planning permission is granted for retention of outbuilding in rear garden at 52 Copperfield Avenue, Hillingdon, UB8 3NX, in accordance with the terms of the application, Ref 59235/APP/2025/1205, and subject to the following conditions:
  - 1) The development hereby permitted shall accord with the following approved plans:
    - Site Location Plan
    - CH/52-Shed/1
    - CH/52-Shed/3
    - CH/52-Shed/4
    - CH/52-Shed/5
  - 2) The building hereby permitted shall at no time be used for any commercial purpose nor as living accommodation nor occupied at any time other than for purposes ancillary to the residential use of the dwelling known as number 52 Copperfield Avenue, Hillingdon, UB8 3NX.

### Preliminary Matter

2. The outbuilding is already complete, and the appeal is therefore retrospective, but this has no bearing on the consideration of the planning issues arising.

### Main Issues

3. The main issues relate to the relationship of the appeal building to its host dwelling and its effects on the character and appearance of the site and surrounding area, and on the residential amenity of neighbouring properties.

## Reasons

### *Relationship, Character and Appearance*

4. The Council and neighbours object to the subject building essentially due to its size, which is unusually large for such a location, and the potential for it to be misused as a dwelling.
5. The building, of some 110sqm and standing nearly 4m high overall, is as large as a dwelling, and not far short of the 140sqm plan area of the extended dwelling house at No 52 Copperfield Avenue. It is evidently bigger than a former outbuilding it replaced. It is also larger than another substantial outbuilding at neighbouring property at Nos 54 and 54A which, according to the Council, was only made lawful by the passage of time.
6. All the properties in Copperfield Avenue and all those in Micawber Avenue to its rear have particularly extensive gardens, many accommodating large scale outbuildings, of which the appeal building happens to be the largest in the vicinity.
7. The building is well constructed, but is of simple, pitch-roofed utilitarian style. Although it occupies most of the width of the site, it leaves a substantial area of enclosed private amenity space between it and the house. Overall, the outbuilding gives the impression of having a close but functionally subordinate relationship to the dwelling, despite its scale, and even though it vastly exceeds the adopted 30sqm floor space guideline of the Hillingdon Local Plan (HLP) outbuildings.
8. In its context of very spacious surrounding gardens with a variety of significant outbuildings, I do not consider this particular building, properly judged on individual merit, to be damaging to the character or appearance of the area, merely because it seems to be the largest outbuilding in the local neighbourhood.
9. Local character is also affected by the use of a building. When I visited the site, the building in question was fitted out with a large quantity of exercise apparatus, equivalent to commercial gymnasium. Whether a building or a facility of such a scale is necessary is a matter for the owner and not for planning. But in addition to the restriction to ancillary use, suggested without prejudice by the Council, I consider that a condition expressly excluding any commercial or residential use should be imposed.
10. I am satisfied that, with that condition in place, the relationship of the appeal building to its host dwelling and its effect on the character and appearance of the site and surrounding area would be acceptable.
11. I do not, therefore, consider that the retention of the building in this case would undermine the provisions of Strategic Policy BE1 or Development Management Policy DMHB11 of the HLP, regarding design quality and scale of outbuildings in relation to plot size and street patterns. Nor, in my view, would it offend the aims of Policy DMHD 2, including that an outbuilding be proportionate to its host dwelling and its curtilage.

### *Residential Amenity*

12. Local residents are understandably concerned about the unheralded appearance of this large outbuilding in the vicinity of their homes, and object to apparent security cameras potentially affecting their privacy, and external illumination causing light

pollution. However, these appear to be matters for resolution between neighbours, or under other legislation. There is also some concern regarding precedent, but any other such proposal in the locality should be judged on its individual effects on the particular site and surroundings.

13. I find no substantive objection in relation to residential amenity, and in my view, the development is further compliant with the requirement of HLP Policy DMHD 2 that residential outbuildings must avoid compromising the amenity of neighbouring occupiers.

*Conclusion*

14. I conclude that this appeal should be allowed, subject to the condition I outline above, restricting the building to non-commercial ancillary use, as well as to a requirement that the building must continue to accord with the approved plans. The standard time limit for commencement and condition requiring the use of matching materials are not necessary in this case, as the building is already in place.

*B J Sims*

INSPECTOR