



## PLANNING, DESIGN & ACCESS STATEMENT

*PROPOSAL: REMOVAL OF EXISTING STRUCTURE AND ERECTION OF AN  
OUTBUILDING (RESUBMISSION OF APPLICATION 54817/APP/2024/839)*

AT

1 Nicholls Avenue, Uxbridge, UB8 3JL

September 2025

RJS PLANNING

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## 1.0 INTRODUCTION

- 1.1 This statement has been prepared by RJS Planning, on behalf of Mr Ian Cook, in support of a planning application for the removal of an existing structure and the erection of an outbuilding.



Existing garage to be removed

- 1.2 The application follows the refusal of planning application ref. 54817/APP/2024/839, dated 29<sup>th</sup> July 2024, for the “*Removal of existing structure and erection of an outbuilding.*” That decision was subsequently appealed under reference APP/R5510/W/25/3359768, with the appeal allowed on 3<sup>rd</sup> July 2025.
- 1.3 The Council’s principal concern in refusing the original scheme was whether the proposal would amount to the creation of a self-contained residential unit. However, the Inspector concluded that this risk could be satisfactorily mitigated through the imposition of a planning condition restricting its use, even in circumstances where the structure was erected prior to the extant permission.
- 1.4 The current proposal seeks permission for a larger outbuilding to accommodate storage space for 3x classic cars, gym/games room, and separate WC. The revised design responds to the applicant’s evolving needs while remaining within the scope of the Inspector’s findings.
- 1.5 The following statement will demonstrate that the new proposal would be compliant with the aims of the NPPF (2021), the London Plan 2021, Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

## 2.0 THE SITE



**Application site and surrounding area**

- 2.1 The application site is located on the northern side of Nicholls Avenue. The site is within a predominantly residential area although it is not within a conservation area or within the curtilage of a listed building.
- 2.2 The site is mostly open consisting of overgrown vegetation. It currently contains a detached garage.



**Application site**

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### 3.0 THE PROPOSED DEVELOPMENT

- 3.1 The application seeks planning permission for the removal of an existing structure and the erection of an outbuilding on land at no. 1 Nicholls Avenue.



#### Proposed outbuilding

- 3.2 The proposed outbuilding would measure 12m wide x 8m deep with a maximum ridge height of 3.98m. It would be sited at the northern end of the plot, positioned 1.4m from the rear boundary and 0.61m from each side boundary. The gross internal area (GIA) within the galvanised steel frame would be 82.56sqm.
- 3.3 Internally, the building would be configured to accommodate three cars with storage racking and a workbench. The remaining space would comprise a gym/games room with provision for a computer desk, seating area, and a separate WC. Internal walls would be formed using steel studwork and plasterboard, insulated with mineral wool. Internal doors would be 900mm wide to facilitate accessibility.
- 3.4 The structure would be founded on a concrete raft and framed in galvanised steel. External walls would be clad in fire-rated, insulated box profile panels with a 60mm core (thermal performance of 0.31 W/m<sup>2</sup>K, weight 9.7 kg/m<sup>2</sup>), finished in Juniper Green. To enhance visual integration with the street scene, the front elevation would incorporate brickwork in Marine Brown Red or a similar tone, while the remaining elevations would retain the box profile cladding.
- 3.5 The roof would be finished in insulated tile-effect cladding, coloured Anthracite. The south-facing front roofslope would include provision for solar panels, as shown on the submitted plans, contributing to the building's energy efficiency. Roof windows would provide natural light to the internal spaces.
- 3.6 Access would be provided, in the southern elevation only, via a high-security wide single steel entrance door, with additional openings including double-glazed bi-fold doors fitted with a security shutter, and an insulated roller shutter to the garage.

## 4.0 RELEVANT PLANNING POLICY

- 4.1 The following paragraphs provide a brief summary of the relevant local policies and the relevant guidance within the National Planning Policy Framework. The paragraphs are in a hierarchical order relative to national and local planning policy.

### **National Planning Policy Framework (NPPF) 2024**

- 4.2 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this application.

### **Presumption in Favour of Sustainable Development**

- 4.3 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

### **Decision-making**

- 4.4 Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way.

### **Achieving well-designed places**

- 4.5 Section 12 of the NPPF refers to design, with paragraph 131 describing how the Government attaches great importance to the design of the built environment, stating that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*
- 4.6 Paragraph 135 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

### **London Plan**

- 4.7 The council embraces the sentiments of the London Plan which sets a clear context for considering development needs at local level. Policies D3 and D4 are considered relevant.

### **Policy D3: Optimising site capacity through the design-led approach**

- 4.8 Development proposals should:

- 1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions
- 7) deliver appropriate outlook, privacy and amenity
- 11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character
- 12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well

### **Policy D4: Delivering good design**

- 4.9 For residential development it is particularly important to scrutinise the qualitative aspects of the development design described in Policy D6 Housing quality and standards. The higher the density of a development the greater this scrutiny should be of the proposed built form, massing, site layout, external spaces, internal design and ongoing management.

### **Hillingdon Local Plan: Part Two - Development Management Policies**

- 4.10 The Local Plan Part 2 Development Management Policies and Site Allocations and Designations were adopted as part of the borough's development plan at Full Council on 16 January 2020. Policies DMHD 2 and DMHB 11 are relevant.

Policy DMHD 2: Outbuildings

- 4.11 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.

Policy DMHB 11: Design of New Development

- 4.12 All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:
- i) harmonising with the local context by taking into account the surrounding:
    - scale of development, considering the height, mass and bulk of adjacent structures;
    - building plot sizes and widths, plot coverage and established street patterns;
    - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
    - architectural composition and quality of detailing;
    - local topography, views both from and to the site; and
    - impact on neighbouring open spaces and their environment.

## 5.0 THE PLANNING CASE

### Introduction

5.1 This section will demonstrate that the proposed development would not conflict with the overall aims of national, regional or local planning policy.

5.2 As such, the main considerations in the assessment of this application relate to:

- Principle of development
- Design, character and appearance
- Impact on neighbour amenity

### Principle of development

5.3 During the assessment of the previous application, the Council raised concerns regarding the accuracy of the red line boundary, asserting that it did not encompass the full extent of the site. In response, the red line boundary has been amended to reflect the entirety of the land under the applicant's control and to align with planning permission granted under application 54817/APP/2022/2568.

5.4 The Council also expressed reservations about the absence of completed residential units on the site. Although planning permission had previously been granted for the erection of self-contained flats, construction had not commenced at the time of the earlier application. In the Council's view, the lack of an identified residential unit to which the outbuilding could be functionally linked meant that any condition restricting its use would fail to meet the relevant tests of necessity, precision, and enforceability.

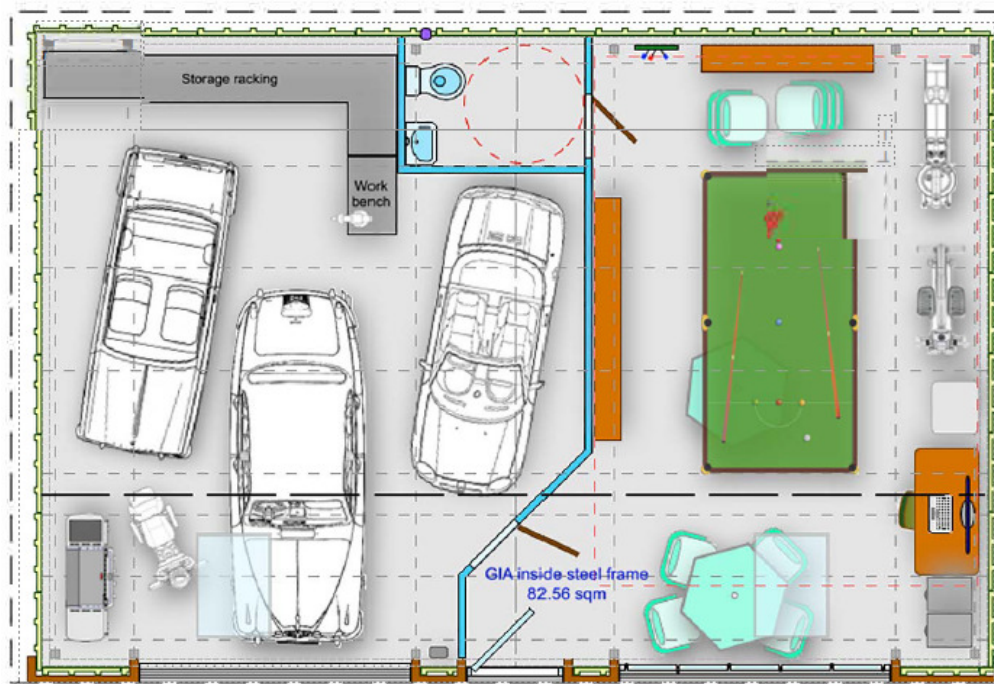
5.5 However, the Inspector took a more pragmatic and policy-aligned view of the site's planning status. At paragraph 6 of their decision (APP/R5510/W/25/3359768, they stated:

***"I note the Council's concern that a condition could not be used to tie the proposed building to the currently unfinished development. However, there is no need to tie the building to this, instead a condition could be used to prevent it being converted into a separate self-contained dwelling. This would prevent its use as a self-contained dwelling even if it was constructed before the extant permission."***

5.6 The scale and layout of the currently proposed outbuilding reflect its intended use rather than any attempt to create independent residential accommodation. It has been designed to accommodate three vehicles, along with ancillary space for storage, a gym/games area, and a WC. These functions are consistent with the type of provision

commonly found in larger domestic outbuildings and do not, in themselves, indicate a separate planning unit.

- 5.7 The proposal has also been assessed against Policy DMHD 2 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020), which sets out specific criteria for residential outbuildings. These include requirements for high-quality design, proportionate scale, and ancillary use, with a clear prohibition on independent residential accommodation or the inclusion of primary living spaces such as bedrooms, kitchens, or bathrooms.
- 5.8 While the site does not currently host a completed dwellinghouse, the outbuilding is proposed in the context of an extant permission for self-contained flats and is designed to serve future residential use in a clearly ancillary capacity. The proposed layout includes garaging, recreational space, and a WC, none of which constitute primary living accommodation. The building size would be commensurate with its use and is not capable of independent occupation, and its use can be robustly controlled by condition, consistent with both DMHD 2 and the Inspector's findings.
- 5.9 This approach is consistent with the principles established in *Emin v Secretary of State for the Environment* (1989), which clarified that the acceptability of an outbuilding depends not on its size alone, but on whether the scale is reasonably related to its intended use. In this case, the proposed footprint is proportionate to the stated functions, and there is no evidence to suggest that the building is excessive or unjustified in planning terms.
- 5.10 While the site does not currently host the approved flatted development, the Inspector confirmed that this does not preclude the erection of an outbuilding, nor does it necessitate a direct tie to a specific residential unit. The key planning consideration is whether the building is capable of being used as a self-contained dwelling, and whether such use can be effectively prevented through condition. The Inspector concluded that it could.
- 5.11 The current proposal seeks permission for a marginally enlarged outbuilding, with a broadly similar internal layout comprising a space to store the applicant's classic cars, games room, and separate WC. The principal change is that the building is now intended to accommodate three vehicles, rather than the two previously proposed. The proposed layout, as shown in the accompanying image, illustrates the internal arrangement confirming the proposed use remains ancillary and non-residential, and there is no intention to create a self-contained unit. As such, the principle of development remains acceptable and can be robustly controlled through the imposition of a condition restricting its use, consistent with the Inspector's findings.



**Proposed layout**

- 5.12 The proposal therefore accords with the overarching aims of the National Planning Policy Framework (2021), which supports development that makes effective use of land and can be appropriately controlled to prevent unintended impacts. It also aligns with the strategic objectives of the Hillingdon Local Plan, which seeks to ensure that ancillary structures are compatible with their context and do not give rise to independent residential occupation.
- 5.13 Accordingly, the principle of development remains sound. The outbuilding's use can be appropriately conditioned to prevent independent residential occupation, and its scale is justified by the operational requirements of the proposed layout. The proposal therefore accords with national and local planning policy, and with established case law on ancillary structures.

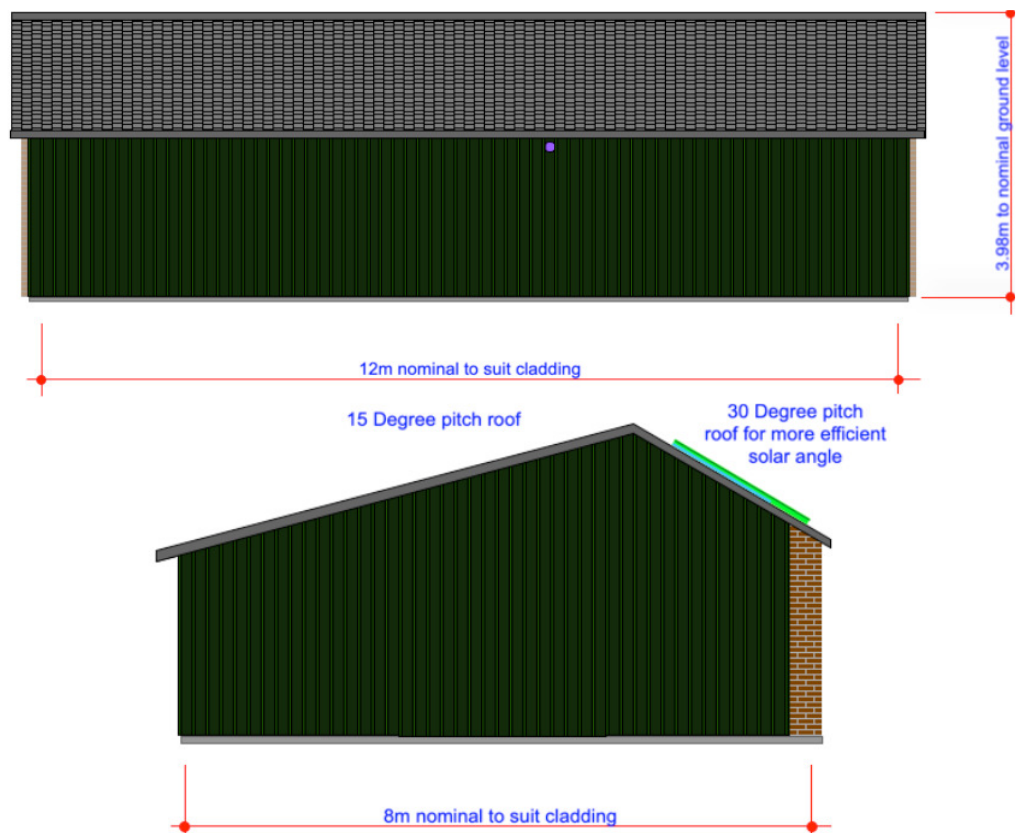
#### Design, character and appearance

- 5.14 Paragraph 131 of the NPPF states that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* The proposed outbuilding has been carefully designed to reflect this principle, incorporating high-quality materials, a coherent layout, and a scale appropriate to its intended use and setting.
- 5.15 Paragraph 135 of the NPPF requires Local Planning Authorities to ensure that developments function well and contribute positively to the overall quality of the area over the lifetime of the development. Proposals should be visually attractive through good architecture and landscaping, and should be sympathetic to local character and

history, while allowing for appropriate innovation. The proposed outbuilding responds to this guidance through its restrained siting, dual-pitched roof form, and use of robust materials that complement the surrounding built environment.

- 5.16 London Plan policies D3 (Optimising site capacity through a design-led approach) and D4 (Delivering good design) reinforce the importance of context-responsive development. The proposal reflects local distinctiveness in terms of scale, orientation, and appearance, and uses durable materials that will weather well over time. The inclusion of solar panels on the south-facing roof slope also demonstrates a forward-looking approach to sustainability, consistent with the London Plan's emphasis on energy performance and environmental resilience.
- 5.17 Local Plan Policy DMHD 2 (Outbuildings) requires residential outbuildings to be constructed to a high standard of design, without compromising the amenity of neighbouring occupiers. It also requires the footprint to be proportionate to the dwelling and curtilage, and to have regard to existing trees. Although the approved flats are not yet built, the proposed outbuilding is clearly designed to serve future residential use in an ancillary capacity. Its footprint is proportionate to the site, avoids harm to neighbouring amenity, and does not affect any trees.
- 5.18 Policy DMHB 11 (Design of New Development) seeks to ensure that proposals harmonise with the local context, taking into account building lines, height, scale, materials, and the surrounding character. The proposed outbuilding respects these parameters, with a modest ridge height of 3.98m, a dual-pitched roof form, and a material palette that includes Juniper Green cladding, Anthracite roof tiles, and Marine Brown Red brickwork to the front elevation, all of which are sympathetic to the area's visual character.
- 5.19 The building would measure 12m wide by 8m deep, with a gross internal area of 82.56sqm. It would be positioned at the northern end of the plot, set 1.4m from the rear boundary and 0.61m from each side boundary. Its siting ensures minimal visual impact from the public realm and avoids overbearing effects on neighbouring properties.
- 5.20 Internally, the building would accommodate three cars each requiring an area of 3m x 6m (18sqm) with storage racking and a workbench, alongside a gym/games room and a separate WC. The layout is practical and well-proportioned, commensurate with its proposed uses.
- 5.21 The structure would be founded on a concrete raft and framed in galvanised steel. External walls would be clad in insulated box profile panels finished in Juniper Green, with brickwork to the front elevation to enhance integration with the street scene.

The roof would be finished in insulated tile-effect cladding in Anthracite, with roof windows and solar panels on the south-facing slope to improve energy efficiency and natural light.



- 5.22 Access would be provided via the southern elevation only, through a high-security steel entrance door, double-glazed bi-fold doors with a security shutter, and an insulated roller shutter to allow access to the classic cars. These features are functional and visually discreet.

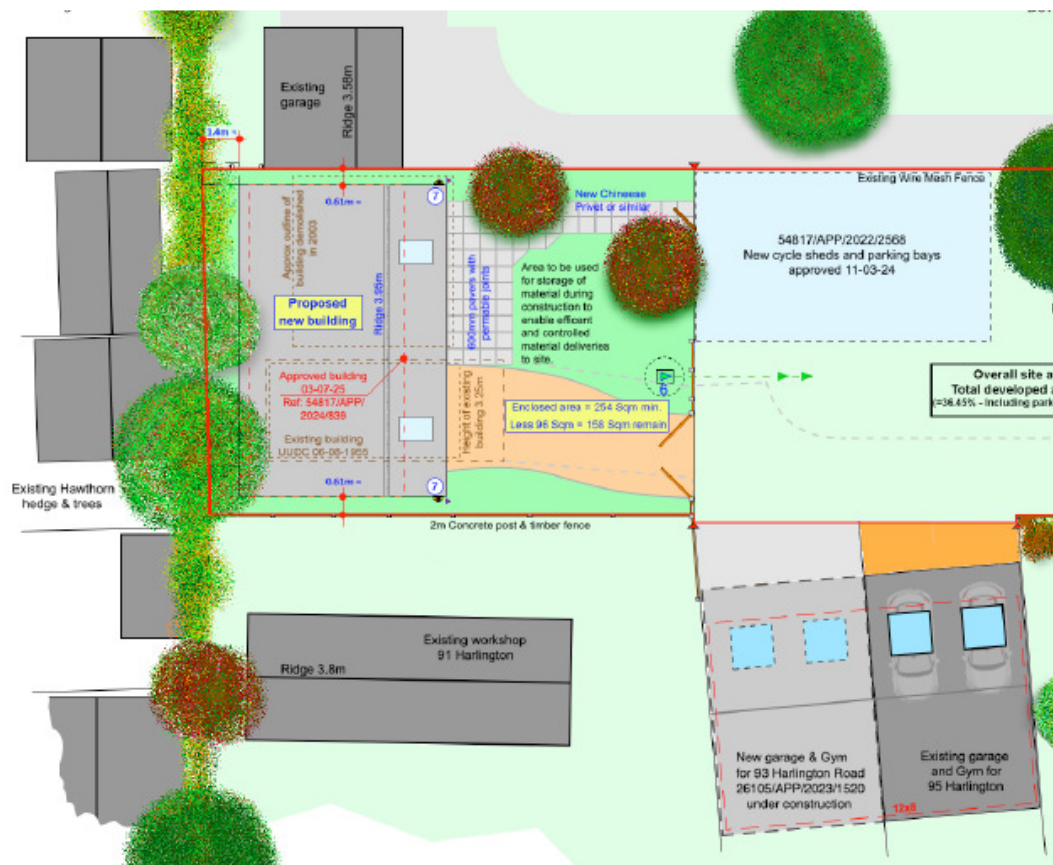


**Proposed south facing elevation**

- 5.23 The previous officer's report acknowledged that the outbuilding would replace an existing structure in a similar position and that, despite exceeding the prescribed footprint in paragraph A1.34, similar-sized outbuildings exist in the immediate area.

The officer concluded that the development would not harm the character or appearance of the street scene or surrounding area.

- 5.24 While the current proposal increases the gross external area from 72sqm to 96sqm, this is commensurate with its intended use and remains visually comparable to the previous scheme. The revised roof form, with a 30-degree pitch to the front and 15-degree pitch to the rear, improves solar efficiency while keeping the rear eaves height low, thereby reducing bulk and visual impact.
- 5.25 Moreover, similar-scale outbuildings have been approved nearby, including the garages and gym permitted under application 26105/APP/2023/1520, which also measures 12m x 8m. As shown on the Proposed Site Layout Plan NA10-02b, the development would be a complementary addition that reflects the prevailing pattern of built form in the area.



**Comparable neighbouring development**

- 5.26 In summary, the proposed development is of high-quality design, proportionate scale, and appropriate siting. It respects the character of the area, avoids harm to neighbouring amenity, and incorporates sustainable features. The proposal is therefore fully compliant with the design objectives of the NPPF (paragraphs 131 and

135), London Plan policies D3 and D4, and Hillingdon Local Plan Part 2 policies DMHD 2 and DMHB 11.

Impact on neighbour amenity

- 5.27 Paragraph 135(f) of the National Planning Policy Framework (NPPF, 2021) states that planning policies and decisions should ensure developments create places that are safe, inclusive, and accessible, and which promote health and well-being with a high standard of amenity for existing and future users. The proposed outbuilding has been carefully designed to respect these principles, ensuring no adverse impact on neighbouring properties.
- 5.28 London Plan Policy D3 (Optimising site capacity through a design-led approach) requires development to deliver appropriate levels of outlook, privacy, and amenity. The siting, scale, and orientation of the proposed outbuilding have been sensitively considered to avoid any loss of light, overbearing impact, or overlooking.
- 5.29 Local Plan Policy DMHB 11 (Design of New Development) reinforces the requirement that new development must not adversely affect the amenity, daylight, or sunlight of adjacent properties and open spaces. The proposal remains single-storey, with no habitable accommodation, and is positioned well within the site boundaries to safeguard neighbouring amenity.
- 5.30 While the revised proposal increases the footprint of the outbuilding and introduces a varied roof pitch (30 degrees to the front and 15 degrees to the rear) the overall ridge height remains unchanged at 3.98 metres. This ensures that the visual bulk of the structure is not materially increased and that the eaves height at the rear remains low, further reducing any potential impact on neighbouring gardens.
- 5.31 In assessing the previous application (ref. 54817/APP/2024/839), the planning officer concluded that the proposed outbuilding would not result in any unacceptable harm to neighbouring amenity. The structure was to replace an existing building in a similar location, and the openings within the south elevation including a garage door, window, and rooflights were not considered to create any overlooking or loss of privacy. The officer also noted the generous separation distances to neighbouring properties, particularly No. 1A Nicholls Avenue to the east, which benefits from a large rear garden and its own outbuilding. The single-storey nature, siting, and intended use of the building were all deemed acceptable, with no concerns raised regarding noise, activity, or overshadowing.
- 5.32 The modest increase in footprint from approximately 72sqm to 96sqm is proportionate to the proposed use and does not introduce any new openings or elements that would materially alter the relationship with neighbouring properties.

The revised roof form has been designed to optimise solar gain while maintaining a low profile at the rear, thereby reducing any perceived massing or dominance.

- 5.33 In summary, taking into account the site context, the unchanged ridge height, the restrained roof design, and the generous separation distances, the proposal would continue to safeguard the residential amenity of neighbouring occupiers. It therefore complies with the aims of the NPPF (paragraph 135), London Plan Policy D3, and Hillingdon Local Plan Part Two Policies DMHB 11 and DMHD 2.

## **6.0 CONCLUSION**

- 6.1 The proposed outbuilding remains firmly within the bounds of acceptable ancillary development. It responds directly to the Inspector's findings in appeal decision APP/R5510/W/25/3359768, which confirmed that its use can be effectively controlled through condition, even in the absence of a completed flatted development. The modest enlargement and clarified red line boundary do not alter the fundamental nature of the proposal, which remains non-residential and proportionate to the site. The development is therefore consistent with the aims of the NPPF, relevant case law, and Local Plan Policy DMHD 2.
- 6.2 The proposal reflects a high standard of design, with careful attention to materials, roof form, and siting. The revised structure integrates well with the surrounding context, drawing on local precedents and incorporating sustainable features such as solar panels and robust cladding. The footprint and massing are appropriate to the curtilage, and the building's appearance is sympathetic to the character of the area. As such, the development accords with the design-led principles of the NPPF, London Plan policies D3 and D4, and Hillingdon Local Plan policies DMHD 2 and DMHB 11.
- 6.3 Despite the modest increase in footprint and revised roof pitch, the proposal maintains the same ridge height and continues to be sited sensitively within the plot. The single-storey form, restrained eaves height, and generous separation distances ensure that there is no adverse impact on neighbouring privacy, outlook, or light. The use remains ancillary and low-intensity, with no habitable accommodation or intensification of activity. The development therefore safeguards residential amenity and complies with the requirements of the NPPF, London Plan Policy D3, and Local Plan policies DMHB 11 and DMHD 2.
- 6.4 Therefore, the scheme would adhere with the aims of the NPPF, London Plan policies D3 and D4, and Local Plan Part Two Development Management Policies DMHB 11 and DMHD 2.

- 6.5 Mindful that the National Planning Policy Framework (NPPF) states that decision-makers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development, for the above reasons, it is politely requested that this application is granted planning permission at the earliest opportunity with any conditions deemed appropriate to the circumstances of this case.