



Appeal Decision

Site visit made on 15 August 2025

by **Robert Fallon B.Sc. (Hons) PGDipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 September 2025

Appeal Ref: APP/R5510/W/25/3363843

9 Honeycroft Hill, UXBRIDGE, UB10 9NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
- The appeal is made by Mr Paul Anastasi against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 7634/APP/2025/301 was approved on 26 March 2025 and planning permission was granted subject to conditions.
- The development permitted is described on the decision notice as "Conversion of integral garage to habitable accommodation."
- The condition in dispute is No 4 which states that: *The development hereby approved shall not be sub-divided/detached from the main dwelling to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.*
- The reason given for the condition is: *To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy DMH 4 and DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).*

Decision

1. The appeal is allowed and the planning permission Ref 7634/APP/2025/301 for the conversion of integral garage to habitable accommodation at 9 Honeycroft Hill, UXBRIDGE, UB10 9NQ granted on 26 March 2025 by the Council of the London Borough of Hillingdon, is varied by deleting condition 4.

Main Issue

2. The main issue is whether Condition 4 is necessary to ensure that any subsequent conversion of the host dwelling to a house of multiple occupation or subdivision to form an additional residential unit would be in accordance with Policies DMH 4 and DMH 5 of the Local Plan¹.

Reasons

3. The appeal site consists of a mature 2-storey semi-detached dwelling which has been extended with a 2-storey side addition. The property is set back from the road behind a low wall with the front garden mainly surfaced in block paving offering 2 off-road parking spaces.
4. Honeycroft Hill is a busy road subject to extensive parking restrictions, with very limited space for on-road parking in the vicinity of the appeal site. The area is primarily residential in character, with its northern side consisting of mature 2-storey semi-detached dwellings and its southern flank by post-WWII detached properties & a small Ministry of Defence site.

¹ Local Plan Part 2, Development Management Policies, Adopted Version, 16 January 2020, London Borough of Hillingdon.

5. Paragraph 57 of the Framework² states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning & the development to be permitted, enforceable, precise and reasonable in all other aspects.
6. The Council did not submit an appeal statement and there is no explanation or evidence in the case officer's report as to why condition 4 is necessary. The only written justification for the condition is that contained in the reason on the decision notice, namely that the appeal property should remain a single dwelling until the Council is satisfied that a conversion would be in accordance with Policies DMH 4 and DMH 5.
7. I recognise that a dwellinghouse can be changed into a House in Multiple Occupation (HMO) under permitted development rights. However, the Council has not explained why being unable to control this via a further planning application would give rise to any harm in respect of the proximity of the appeal property to local amenities or public transport, the living conditions of potential occupiers or how such a scheme would impact upon the character of the area.
8. Turning to the Council's other concern over the potential conversion of the property into two or more separate dwellings, this change would require planning permission and hence the Council would have the opportunity to consider this matter afresh irrespective of the condition.
9. In light of the above, it is my view that the Council has not provided sufficient justification for condition 4 to be considered necessary and that the scheme would as a consequence be adequately controlled by conditions 1, 2 and 3. In this regard, it is important to note that a condition should not be imposed solely on the basis that the Council wishes to retain control over subsequent changes otherwise allowed under permitted development rights i.e. there also needs to be an explanation and/or evidence as to why such changes could give rise to harm unless they are properly controlled via a further planning application.
10. I therefore find that there is no evidence before me to conclude that the removal of Condition 4 would be harmful and/or result in a subsequent HMO or additional self-contained dwellings that would conflict with Policies DMH 4 and DMH 5 of the Local Plan, which collectively seek to ensure, amongst other things, that such developments; - (a) do not harm the character of the area; (b) do not adversely impact upon the amenity of neighbouring properties; and (c) are in an appropriate location with good accessibility to local amenities and public transport.

Conclusion

11. For the reasons given above the appeal should be allowed and the planning permission varied as set out in the formal decision.

Robert Fallon

INSPECTOR

² National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 12 December 2024 (as amended on 7 February 2025).