



## Appeal Decision

Site visit made on 1 July 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

**Appeal Ref: APP/R5510/W/25/3364331**

**34 Oxford Avenue, Hayes UB3 5HY**

- 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 Tejinder Kaur against the decision of the Council of the London Borough of Hillingdon.
- The application ref. is 77765/APP/2025/367.
- The development proposed is to use existing outbuilding as granny annexe.

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council used a different description of development on its decision notice to that on the application form. As it is not clear that the appellant agreed to this change, I have used the description on the application form.
3. I saw on site that a bathroom and rooflights had been installed in the outbuilding. The bathroom was in a different location to that shown on the drawings and the rooflights are not shown, so I have not treated the appeal as retrospective.

### Main Issue

4. The main issues in this appeal are the effect of the development on the:
  - character and appearance of the area
  - living conditions of existing and future occupiers, with particular regard to outlook, privacy, living space and external amenity space.
  - living conditions of neighbouring occupiers, with particular regard to privacy, external amenity space, noise and disturbance.

### Reasons

#### *Character and appearance*

5. The appeal site comprises an originally-two-storey 1930s semi-detached house, the roof of which has been converted to a gable with full-width rear dormer, and which has single storey flat-roofed side and rear extensions. A single storey flat-roofed outbuilding extends the width of the rear garden and occupies the rearmost six metres or so, with an internal area of about 38sqm. This leaves a 12m-long rear garden with access along a passageway down the side of the extensions.

6. The wider area is characterised by similar houses with hipped roofs and four-house terraces, many also extended. Most front gardens have been hard surfaced. Oxford Avenue itself has two carriageways either side of a central open space. Several other properties, including a neighbour, have similar outbuildings.
7. The proposal would convert the outbuilding into living accommodation and install ramps. Whilst the drawings only show a small bathroom, the remainder of the space unplanned, the appellant refers in evidence to the need for a bedroom and to kitchen elements. Together, these comprise all the facilities required for day-to-day living and would enable the outbuilding to function as a separate dwelling, particularly as there is no need to access it through the main house.
8. The proposed ramps would have a minimal effect on the character or appearance of the area and, as such, are acceptable. Nonetheless, whilst the proposal is to accommodate a dependent relative, this would still absorb another household, or part thereof, into an extended house. This would increase comings and goings to the property, with attendant parking pressure, and through the rear garden.
9. This would harm the character and appearance of the area, contrary to Policy D3 of the London Plan (2021) and Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), which require proposals to respond to existing character. They require outbuildings to be proportionate in size to the built footprint and curtilage, not capable of independent residential use, and not to contain bedrooms, bathrooms or kitchens. I attach significant weight to this conflict with development plan policy.

*Living conditions – existing and future occupiers*

10. Both parties suggest that the outbuilding has an area of 47sqm, but the drawings show an area of about 38sqm. In any event, the proposal would adapt an existing outbuilding in such a way as to enable it to function as a separate dwelling. Whilst the floor area is still adequate for a 1-bed, 1-person, single-storey unit with shower room, a future occupier would have outlook from only two windows and doors all facing windows and doors in the rear extension, about 12 metres away.
11. Furthermore, there is insufficient information to confirm whether the bedroom, bathroom and kitchen referred to in evidence would have adequate size, natural light or outlook, or whether the occupiers of both 34 Oxford Road and the resulting unit would have adequate outdoor space or privacy.
12. Consequently, I conclude that the proposal is unlikely to provide an adequate standard of living conditions to the occupiers of either existing or future occupiers, contrary to Policies D3 and D6 of The London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), which, amongst other things, require developments to provide adequate outlook, privacy and space and not adversely impact on adjacent properties. I attach significant weight to this conflict with development plan policy.

*Living conditions – neighbouring occupiers*

13. The increased comings and goings I have found likely to occur would also have a particular adverse impact, manifest in noise and disturbance, on the occupiers at 32 and 36 Oxford Road. It would thereby fail to provide them with an adequate standard of living conditions, contrary to Policy D3 of The London Plan (2021) and

DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), which, amongst other things, require development proposals to deliver appropriate amenity and prevent the impacts of noise. I attach significant weight to this conflict with development plan policy.

### **Other Matters**

14. The proposal would provide accessible accommodation for an elderly relative with specific medical conditions, who is dependent on the appellant for essential care and support. Having regard to the Public Sector Equality Duty, this could minimise disadvantage due to age. The need for care, support and accessible housing are material considerations, in part advanced by Policy D7 of the London Plan (2021) and would represent benefits of the proposed development.
15. However, I do not have sufficient evidence that the existing dwelling, which has a large ground floor area, could not be adequately adapted to meet their needs. In the circumstances, I am not persuaded that the harms I have identified from the adaptation of the outbuilding are outweighed by these benefits.
16. The appellant suggests conditions that restrict the use of the outbuilding to an ancillary residential annexe for the benefit of the elderly relative, that prohibit its occupation, letting, sale or use as a separate dwelling and that reduce kitchen facilities to a scale that reflects ancillary use. However, all of these would be difficult to enforce and fail to meet the policy tests for conditions.
17. The appellant also suggests a condition to obscure glazing, but as I have found that the outlook afforded a future occupier would be inadequate, this would only increase that harm, even if it alleviated privacy concerns.

### **Conclusion**

18. For the reasons given above the appeal should be dismissed.

*S Simms*

INSPECTOR