



Appeal Decision

Site visit made on 12 April 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2022

Appeal Ref: APP/R5510/D/22/3292279

24 Wood Lane, Ruislip HA4 6EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Katherine Grill against the decision of London Borough of Hillingdon.
- The application Ref 24891/APP/2021/4264, dated 18 November 2021, was refused by notice dated 21 January 2022.
- The development proposed was described as '*Erection of a single storey garden annex structure*'.

Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey rear outbuilding (garden annex structure) at 24 Wood Lane, Ruislip HA4 6EX in accordance with the terms of the application, Ref 24891/APP/2021/4264, dated 18 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and 'existing and proposed plans' (drawing number 120).
 - 3) The building hereby permitted shall not be used or occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 24 Wood Lane, Ruislip HA4 6EX.

Procedural Matters

2. I have adopted the development description as set out on the Council's decision notice as it is usefully more descriptive than that initially set out. I am satisfied that in so doing neither main party would be disadvantaged.

Main Issues

3. The main issues are:
 - Whether or not the proposed outbuilding would comprise a new, separate and self-contained dwelling; and
 - The effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Whether or not a new, separate self-contained dwelling

4. The proposed outbuilding would be located at the bottom of the appeal property's rear garden, adjacent to the garden's rear and one side boundary. Internally, it would provide a living / dining / kitchen area, bedroom and shower room / w.c.
5. The intention for the building, as set out in detail within the appellant's submission, is to provide ancillary living accommodation for a family member with caring needs sufficiently close to the main house to be able to offer a mix of independent and shared living accommodation. It would also, the appellant states, allow for caring responsibilities to be undertaken on an efficient basis in the context of a family home which, although large, houses a multi-generational family in restricted conditions.
6. Although the building would be detached, other than being within the rear garden area of No. 24, there would be no physical link to the existing dwelling at No. 24. Instead, access to the building would be taken through the existing side and rear garden and thus, possible to access the annex building without needing to go through the existing house first.
7. However, the appellant clearly states that the proposal would be used as ancillary accommodation in connection with the family's already multi-generational occupation of the main house. The reasons for wishing to do so are clearly stated and set out in the application in order to provide a calming and quiet 'haven' for a family member and allowing a degree of independence whilst also benefiting from the close physical and functional relationship between the existing and proposed buildings for caring purposes.
8. Whilst the proposed annex building would be capable of independent occupation as self-contained residential accommodation, the siting of the annex, the uses of the garden land around it and its relationship to the existing dwelling would be such that it could only practicably be occupied in association with the main house. It would not therefore, on the basis of the plans and details before me, lend itself to separate occupation. Nor do those plans and details suggest that that would be the case or indeed is that what the appellant applied for. A suitably worded condition, in addition to a plans condition, would provides sufficient certainty to ensure that this would remain the case.
9. Policy DMHD2 of Hillingdon's Local Plan Part 2 – Development Management Policies (LP2) sets out the Council's approach to residential outbuildings, setting out a number of criteria such proposals will be required to meet. There is no dispute that the proposal would be constructed to a high standard of design and would not compromise the amenity of neighbouring occupiers. Nor has there been any suggestion that its scale and developed footprint would not be proportionate to that of the dwellinghouse or the residential plot in which it stands.
10. However, as I have concluded that the proposed building would not be occupied as a separate, stand-alone and self-contained dwelling, there would be no conflict with criterion (iii) or (iv) of LP2 policy DMHD2. Nor would there be conflict with LP2 policy DMH6 as the proposal would not amount to backland or garden development of the type envisaged by that policy.

Character and appearance

11. The appeal property lies within the Ruislip Village Conservation Area, the residential areas of which beyond the High Street and original village centre are noted in the Ruislip Village Conservation Area Appraisal (CAA) as being spacious and of a leafy character. The CAA notes that residential properties within Character Area 3, and particularly along Wood Lane, date to the 1920s and 1930s following on from the development of the Metropolitan Line to the area in 1904.
12. Houses here are characterised as being of varied size and design with many set on tree lined roads influenced by the Garden Suburb tradition. In the case of Wood Lane, the CAA also notes that garden and street trees are considered to give it an 'almost rural quality'. Within good sized gardens front and rear, the houses tend to be well-spaced contributing to the area's spacious and leafy setting.
13. The appeal property is typical of the CAA's appraisal of this area. The garden is a good size with trees and shrubs around its perimeter giving it a spacious, leafy and, in part, secluded feel. The proposed annex building would be located towards the rear corner of the garden plot, with a mix of trees and shrubs around it.
14. Although a relatively large structure in terms of its footprint area, it would not be excessively so in the context of such a good-sized garden as that at No. 24. The flat roof design would minimise its overall height and bulk, whilst its timber clad external finish would give it the general, and typical, appearance of a large garden shed, albeit one of reasonable size. Nevertheless, the proposed building would be an unobtrusive addition to the rear garden of the appeal property and, because of surrounding vegetation and ground levels, would be equally unobtrusive within the private rear garden scene of properties along Wood Lane and Kingsend.
15. Outbuildings were not particularly evident to my observation during my visit to the site, but that does not render the proposal harmful to the area's character. In this instance, the proposed building would be discretely sited at the rear of the property amongst existing domestic vegetation and shrubbery. It would also be sited some distance from the existing house thereby maintaining the spaciousness of No. 24's garden plot without compromising that of those around it, nor would it materially harm the verdant qualities of the site or the spacious feel of either the appeal site or the surrounding area.
16. Moreover as, for the reasons I have set out above, I do not consider the proposed building to be a separate self-contained dwelling, its use as a domestic, and domestically scaled, outbuilding would not be out of keeping or out of character with the prevailing character of the surrounding area. Thus, there would be no conflict with LP2 policies DMHD2, DMHB11, DMHB12, DMHB16 or DMHB18.

Other Matters

17. As I have concluded that the proposed annex outbuilding would not be occupied as a separate self-contained dwellinghouse, I give the Council's concern that it would not meet minimum space or amenity space standards very limited weight. As a building to provide and be occupied as ancillary to

occupation of the main house, the extensive retained garden area would provide more than sufficient outdoor amenity space for all occupants at No. 24. There would be no conflict with LP2 policy DMHB16 or London Plan policy D6 as a consequence.

Conditions

18. I have considered the Council's suggested conditions in light of the advice of the Framework and Planning Practice Guidance. In addition to time limit and approved plans conditions, both of which are necessary and reasonable in the interests of certainty and good planning, an occupancy condition to ensure occupation and use as ancillary to that of No. 24 is also necessary in order to ensure it is occupied and used as proposed.
19. I have not attached the Council's suggested materials condition for two reasons; firstly, as suggested it would require materials to match those of the main house which is clearly not the intention of the proposal and is not necessary as a detached outbuilding and, secondly, I am satisfied that the submitted plans show the proposed materials in sufficient detail to be able to be satisfied that the proposed materials are acceptable. No further conditions have been suggested nor do I consider any to be necessary.

Conclusion

20. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

G Robbie

INSPECTOR

Mrs Cecilia Lubbock
Livewell Architecture
101 Exmouth Road
Ruislip
HA4 0UH

Application Ref: 24891/APP/2021/4264

Date of Decision: 21st January 2022

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL 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 **REFUSES** permission for the following:-

Application number:	24891/APP/2021/4264
Date your planning application was submitted:	18th November 2021
Site location:	24 Wood Lane Ruislip
Description:	Erection of a single storey rear outbuilding (garden annex structure).
Application submitted by:	Mrs Cecilia Lubbock
Plans that this decision was based on:	See attached Schedule of Plans

Permission is refused for the reason(s) listed below:-

1. The proposed outbuilding, by reason of its layout permitting day-to-day private domestic living as well as the availability of independent access to it, would result in the creation of a substandard, self-contained residential unit in a backland position where such a dwelling would be unacceptable as its use would fail to preserve the established character and appearance of the conservation area and fail to provide adequate living conditions for future occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

INFORMATIVES

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

STANDARD INFORMATIVES

1. The decision to **REFUSE** 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

PT1.HE1 (2012) Heritage

Part 2 Policies

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 4 Conservation Areas

DMHD 2 Outbuildings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

LPP HC1 (2021) Heritage conservation and growth

2. The decision to **REFUSE** 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).

Date of Decision: 21st January 2022

Yours Faithfully,



James Rodger
Head of Planning, Transportation and Regeneration

END OF SCHEDULE

Address:
Residents Services
London Borough of Hillingdon
3 North, Civic Centre,
High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 24891/APP/2021/4264

SCHEDULE OF PLANS

Location Plan.	Received	18-11-2021
Planning and Heritage Statement.	Received	18-11-2021
Design and Access Statement.	Received	18-11-2021
120.	Received	18-11-2021

WHAT TO DO WHEN A HOUSEHOLDER PLANNING APPLICATION IS REFUSED

If your planning application is refused but you still want to pursue it, contact your local planning department.

If you think you could make changes that resolve the reasons for refusal, you may be able to amend your application and submit it again.

Amending your planning application

If you think you could change your application to respond to the reasons for refusal, contact us about what to do next. We can give you more information about deadlines and any fees for submitting an amended application

Residents Services
London Borough of Hillingdon
3 North, Civic Centre,
High Street, Uxbridge UB8 1UW

Email: planning@hillington.gov.uk

www.hillingdon.gov.uk

Appealing to the Planning Inspectorate

If you think the decision to refuse your application was incorrect, you may want to appeal to the Planning Inspectorate, which is an independent and impartial body.

If you want to appeal, the deadline is 12 weeks from the date on the decision letter, or 4 weeks if you've received an enforcement notice. Around 1 in 3 appeals is successful.

You'll need some documents to hand, so before you start, read the guidance and access the service at:

<https://appeal-planning-decision.planninginspectorate.gov.uk>

If you're unable to complete your appeal online call the Planning Inspectorate helpline on 0303 444 5000 (charges at a local rate).

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 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 Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. Report of the Head of Planning, Transportation and Regeneration**Address** 24 WOOD LANE RUISLIP**Development:** Erection of a single storey rear outbuilding (garden annex structure).**LBH Ref Nos:** **24891/APP/2021/4264****Drawing Nos:** Planning and Heritage Statement
Location Plan
Design and Access Statement
120**Date Plans Received:** 18/11/2021**Date(s) of Amendment(s):****Date Application Valid:** 18/11/2021**1. CONSIDERATIONS****1.1 Site and Locality**

The existing property is an attractive detached dwelling which appears to date from the 1930s. It has a strong Arts and Crafts character with a projecting gable with dark-stained waney edge timber cladding detailing and steeply pitched main roof with a cat-slide at first floor and small dormer windows to the front. The rear also features a small projecting gable with timber clad detailing and cat-slide roof form with a dormer window.

The property is little altered in character and appearance and is original to the development of the Ruislip area. The building positively contributes to the character, appearance and significance of the Ruislip Village Conservation Area.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey rear outbuilding (garden annex structure).

1.3 Relevant Planning History

24891/A/82/0059 24 Wood Lane Ruislip

Householder dev. (small extension, garage etc) (P)

Decision Date: 22-02-1982 Approved

24891/B/82/0060 24 Wood Lane Ruislip

Householder development - residential extension(P)

Decision Date: 22-02-1982 Approved

24891/C/87/1007 24 Wood Lane Ruislip

Vehicular access and two-storey side and single- storey front and rear extension.

Decision Date: 29-07-1987 Approved

24891/F/90/0322 24 Wood Lane Ruislip

Erection of a first floor rear extension

Decision Date: 12-04-1990 Approved

Comment on Planning History

The relevant planning history is listed above.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 15th January 2022

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

The Ruislip Residents Association and 7 neighbouring properties were consulted by letter dated 8.12.21.

Ruislip Residents Association - Objection on the grounds that it conflicts with policies DMHB11 and DMHD2 in view of it being over 30 square metres in floor area and having primary living accommodation within it.

Landscape Officer -

This site is located in the north-west corner of the back garden of a two-storey detached house situated on the north side of Wood Lane. The property benefits from a spacious back garden, with an established garden featuring a number of sheds and out-buildings among trees at the far end of the garden. Trees with a stem diameter of 75mm(+) are protected by virtue of their location within the Ruislip Village Conservation Area. COMMENT No tree survey or arboricultural impact assessment has been submitted, however, the response to the planning questionnaire (Q.9) confirms that no trees will be removed to enable the development. Moreover the site plan has plotted the approximate locations and canopy spread of the trees in the area. The new outbuilding will partly occupy the site of an existing wooden shed, but extend into the garden to the south. The product is made by Oeco and the construction details confirm the 'normally' the structure will be supported by specially designed concrete pads and steel feet. - This technique will be less damaging to local tree roots than a traditional strip foundation or solid concrete base, which would require more extensive excavation or trenching. In the light of this construction technique, the proposal is acceptable, however, a tree protection plan and construction management plan should be conditioned to ensure that the construction technique (using pads) is adhered to and that nearby trees are protected throughout the construction contract. RECOMMENDATION No objection subject to pre-commencement RES8 and RES10.

Conservation Officer -

The proposed outbuilding would erect an additional structure within the existing rear garden. Outbuildings are not a characteristic feature of the conservation area and would further develop the site, resulting in some harm to the verdant qualities of the site. Concerns also raised with regard to its self-contained use.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 4	Conservation Areas
DMHD 2	Outbuildings
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP HC1	(2021) Heritage conservation and growth

5. MAIN PLANNING ISSUES

The main planning issues are the potential use of the outbuilding as a self-contained residential unit, the quality of accommodation that would be afforded to future occupiers, whether the development preserves the character and appearance of the conservation area, the level of impact on neighbouring residential amenity and parking and highway safety. The key issue is whether the proposed development would be tantamount to the creation of a self-contained unit.

Policy DMH 6 (Garden and Backland Development) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: i) The use of an outbuilding shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and ii) Primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

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* [1982]). Section 254 of the Housing Act 2004 refers to basic amenities comprising a toilet, personal washing facilities and cooking facilities.

The submitted drawings clearly show that the outbuilding is capable of being used independently from the main house at No.24 Wood Lane. The outbuilding would contain an open kitchen/living area, with a separate bedroom and a bathroom. In addition to this, future occupiers would be able to independently access the outbuilding from the side gate. The prospective occupiers of the proposed outbuilding would not be reliant on the main dwelling for any aspects of the day to day living (i.e. there is no clear functional link). As a matter of fact and degree, it is considered that the proposed development would be tantamount to the creation of a self-contained residential unit.

The development would not provide ancillary accommodation, but rather a self-contained residential unit. As such, a condition requiring the outbuilding to remain ancillary to the main dwelling is not considered to be enforceable nor reasonable, failing to pass the conditions tests set out in paragraph 55 of the NPPF (2021).

It is understood from the Officer correspondence during the course of the application that the confidential/sensitive medical details submitted with this application relate to the

applicant's family member. The outbuilding is required to provide a private space for the Applicant's relative who otherwise lives in a specialist care home. It will enable the family member to visit family regularly for 4 - 5 days at a time. The applicant has advised that due to the complex needs of the family member, staying in the main dwellinghouse with family is not possible. The applicant has advised that the proposed outbuilding would provide a safe and somewhat independent space for the person to stay during breaks from fulltime care. A letter providing further details from the care home has also been provided.

The proposed erection of a self-contained residential outbuilding at the end of the rear garden of No.24 Wood Lane is however considered, in principle, to be unacceptable, and contrary to Policies DMH6 and DMHB 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). Whilst the applicant's personal circumstances and associated evidence are compelling, no reasonable or enforceable condition could be attached to a grant of permission to overcome the harm identified from this substandard and uncharacteristic dwelling. A more appropriate form of development would be an extension which would/could be used in conjunction with the main house.

Quality of Living Accommodation:

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms. Table 3.1 of the London Plan (2021) requires a one person studio to have a minimum gross internal floor area of 39 square metres (or 37 square metres).

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space in accordance with Table 5.3 which requires a studio flat to have at least 20 square metres of private outdoor amenity space. Houses with four-bedrooms or more are required to have at least 100 square metres of private outdoor amenity space.

With a gross internal area of 32 square metres, the proposed self-contained residential unit would fail to meet the minimum standard and would provide a poor standard of accommodation for the future occupant. The supporting information identifies that this building would be well used, for long periods of time, so this is of key importance. Having regard to the above, it is considered that the proposal would provide unacceptable internal living conditions for future occupier of the proposed self-contained residential unit in conflict with Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130(f) of the NPPF (2021).

Character and Appearance:

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings, must harmonise with the local context by taking into account the surrounding

settings. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that developed footprint of the proposed outbuilding 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.

The site is also located within the Ruislip Village Conservation Area. The property is located in the residential character area of the conservation area which predominantly comprises of early to mid-20th century houses. It forms part of the extension of the RVCA in 2009.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

The proposed outbuilding would erect an additional structure within the existing rear garden. Outbuildings are not a characteristic feature of the conservation area and would further develop the site, resulting in some harm to the verdant qualities of the site. However, the visual impact, on balance, would be acceptable and would preserve the character and appearance of the conservation area given the size of the existing rear garden and space between the boundaries. It is the use which is considered to be harmful, failing to preserve the established character and appearance of the conservation by introducing an independent, backland dwelling.

In light of the above, it is considered that the proposed outbuilding would fail to preserve the character, appearance and visual amenities of the area which lies within the Ruislip Village Conservation Area. The proposal, therefore, conflicts with Policy BE1 and HE4 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB4, DMH 6, DMHB 11, DMHB 12 and DMDH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and Section 12 of the NPPF (2021).

Impact on neighbouring residential amenity:

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

At a separation distance of 30m between the front wall of the proposed outbuilding and the rear elevation of both the host dwelling and adjacent properties, the outbuilding is not considered to give rise to an undue loss of light or outlook.

The use of the proposed outbuilding as a self-contained residential unit, coupled with the proposed access arrangements, would have some impact on the living conditions of

neighbouring residents as a result of an adverse increase in the number of comings and goings and intensification in the use of the site as a whole. However, given the size of the plot and distance from the neighbouring boundaries, this is not considered to be an unacceptable increase in noise and disturbance for the existing neighbouring occupiers at numbers 26 and 22 Wood Lane. The proposal therefore conflicts with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2021).

Trees:

Policy DMHB 14: Trees and Landscaping requires:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The new outbuilding would partly occupy the site of an existing wooden shed, but extend into the garden to the south. The product is made by Oeco and the construction details confirm the 'normally' the structure will be supported by specially designed concrete pads and steel feet. This technique will be less damaging to local tree roots than a traditional strip foundation or solid concrete base, which would require more extensive excavation or trenching. In the light of this construction technique, in the event of an approvable scheme, a tree protection plan and construction management plan would be conditioned to ensure that the construction technique (using pads) is adhered to and that nearby trees are protected throughout the construction contract.

Conclusion:

As a matter of fact and degree, it is considered that the proposed outbuilding would provide a self-contained residential unit, thus creating a new planning unit. The proposed outbuilding would provide future occupiers with a substandard form of accommodation, in terms of internal and external space provision. Additionally, the proposal would fail to preserve the character and appearance of the area which lies within the Ruislip Village Conservation Area. As such, the proposal conflicts with the Development Plan and is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed outbuilding, by reason of its layout permitting day-to-day private domestic living as well as the availability of independent access to it, would result in the creation of

a substandard, self-contained residential unit in a backland position where such a dwelling would be unacceptable as its use would fail to preserve the established character and appearance of the conservation area and fail to provide adequate living conditions for future occupiers. The proposal would therefore conflict with Policies DMH 6, DMHD 2, DMHB 11, DMHB 12, DMHB 16, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3, D4, D6 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

INFORMATIVES

- 1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard Informatives

- 1 The decision to REFUSE 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).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 4	Conservation Areas
DMHD 2	Outbuildings
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards

LPP D8 (2021) Public realm
LPP HC1 (2021) Heritage conservation and growth

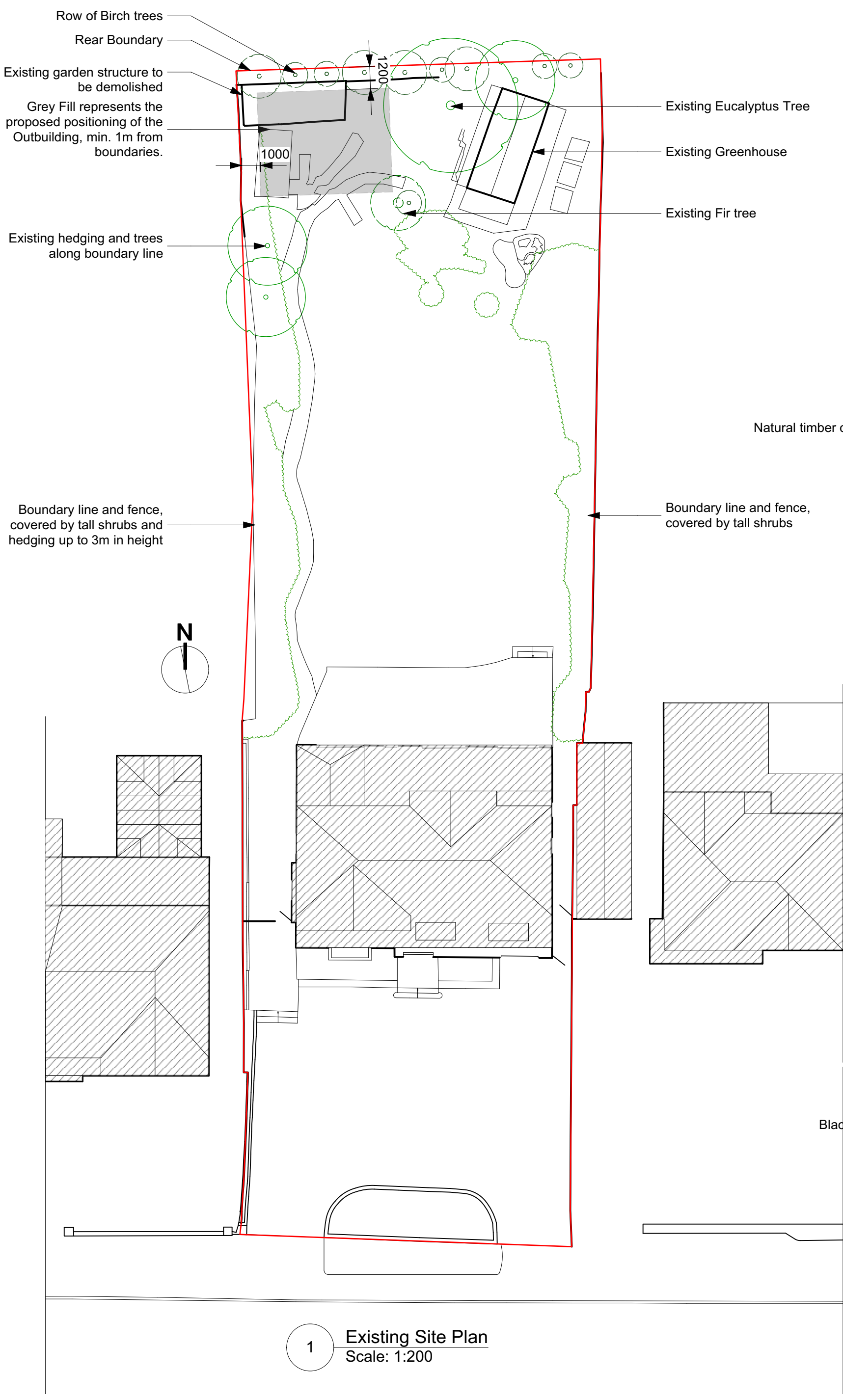
Contact Officer: Nicola Taplin

Telephone No: 01895 250230

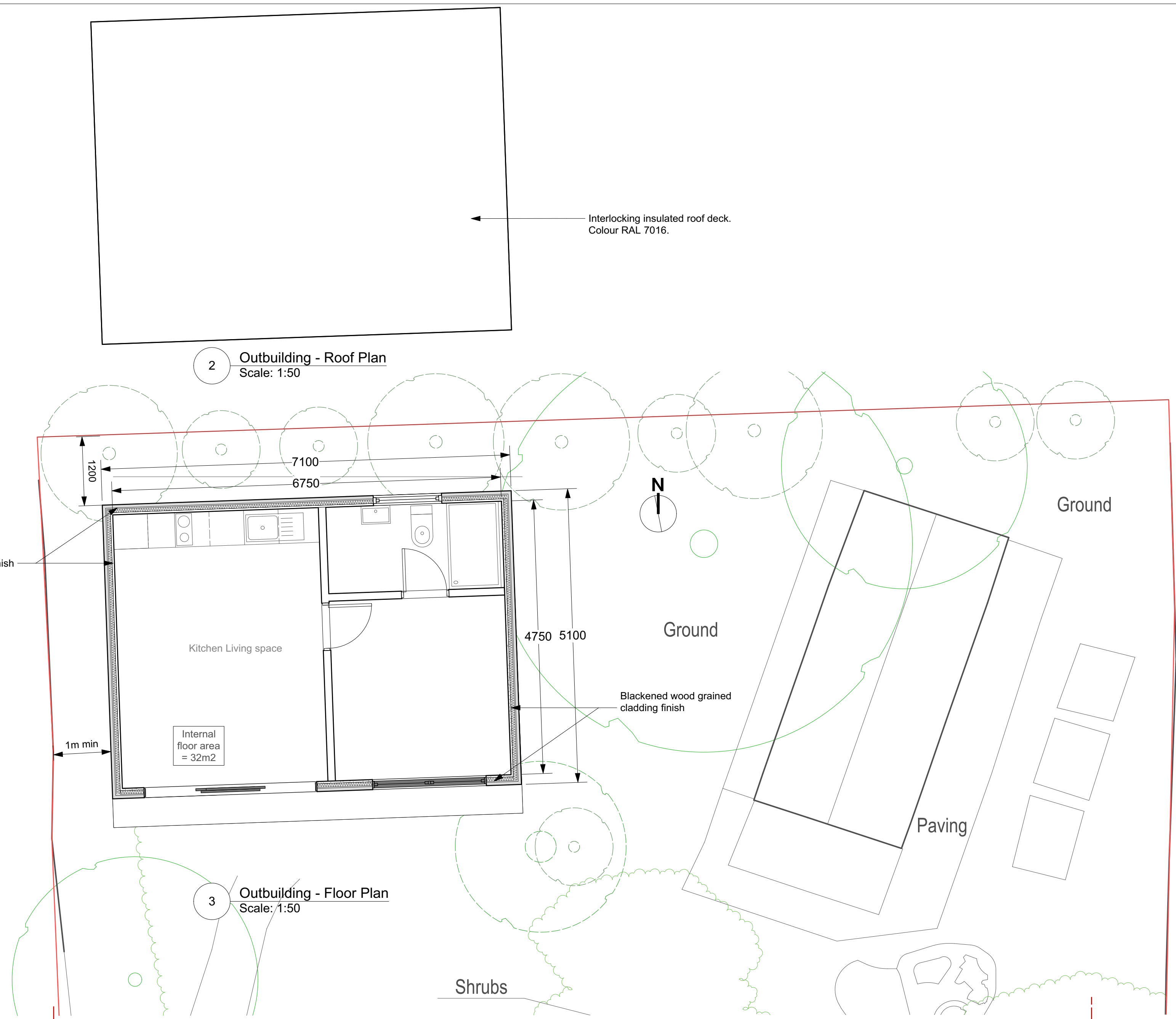
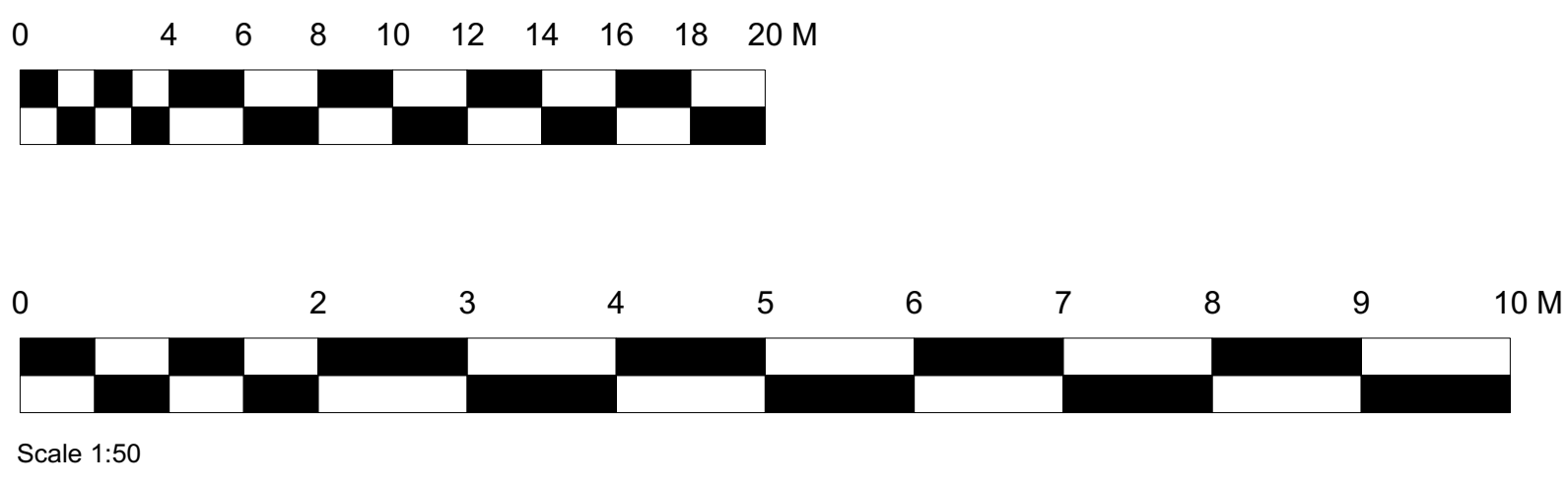
24 Wood Lane, Ruislip, HA4 6EX



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1 Existing Site Plan
Scale: 1:200



2 Outbuilding - Roof Plan
Scale: 1:50

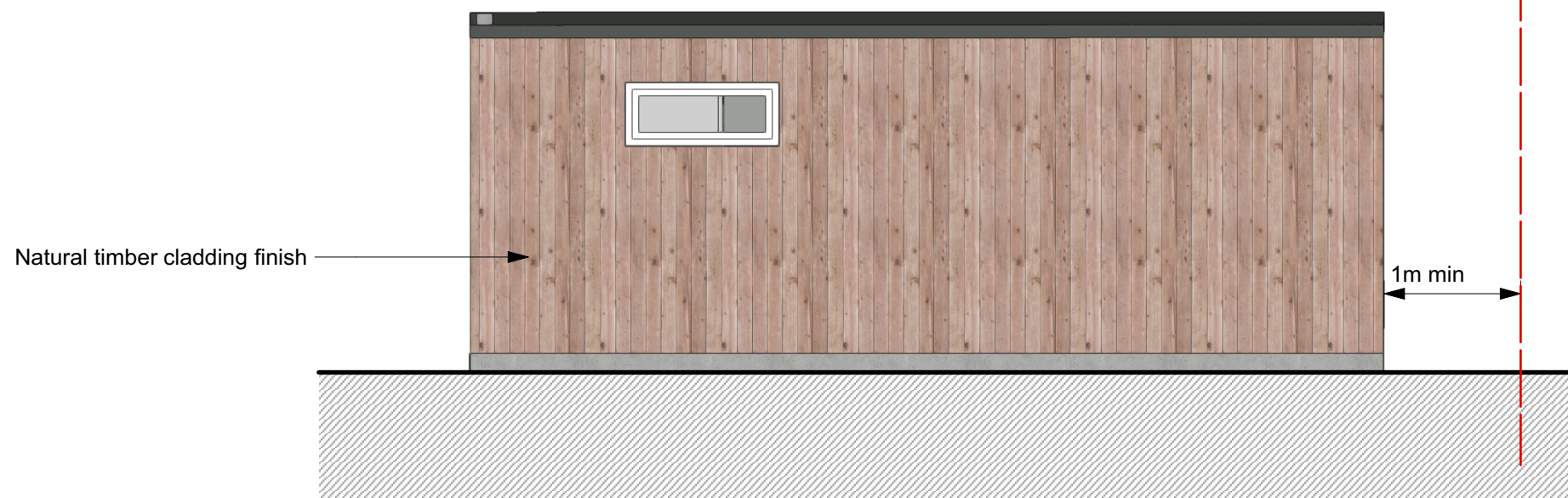
3 Outbuilding - Floor Plan
Scale: 1:50



4 Outbuilding - Front Elevation
Scale: 1:50



6 Outbuilding - Right Side
Scale: 1:50



5 Outbuilding - Rear Elevation
Scale: 1:50



7 Outbuilding - Left Side
Scale: 1:50

- Notes:
- Use figure dimensions only
 - Do not scale from this drawing
 - Issued for purpose indicated only
 - All dimensions to be checked on site
 - Architect to be notified of any discrepancies before construction commences
 - Structural and services information is indicative only
 - Refer to consultants' drawings and specification for details and setting out
 - All work and materials to be in accordance with current applicable statutory legislation and to comply with all relevant codes of practice and British and European Standards
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No.	Date	Revision Notes
Architect		
Livewell Architecture info@livewellarchitecture.co.uk www.livewellarchitecture.co.uk 07915 906393		
Client		
Mrs Grill 24 Wood Lane Ruislip, HA4 6EX		
Sheet Title		
Outbuilding - Existing & Proposed Plans		
Drawn By		Status
CL		PLANNING
Scale @ A1		Date
1:50		18/11/2021
Project Ref		Drawing Number
2021.23		120
		Revision