



# 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: 3<sup>rd</sup> 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 provide 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