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To the Planning Inspectorate,
Room 3/07, Kite Wing,
Temple Quay House, 2 The Square,
Temple Quay, Bristol, BS1 6PN

Grounds of Appeal.

Re; a 'lawful development' application (refused) regarding a rear outbuilding to be used as a personal gym/ karate dojo for Mr Manjit Singh Sahota and family, at the family residence, 15 Eighth Avenue, Hayes, Middlesex, UB3 2EU (Hillingdon Council reference 72052/APP/2018/3006).

Dear Sir/ Madam,

Mr Sahota and his family are in the process of improving various aspects of their home and are planning ahead for their family's future here. This proposed lawful development outbuilding would provide Mr Sahota and his children with the ability to train together in their passion for Karate (Mr Singh started his training 30 years ago, his children (9 and 12 years old) have been participating for 6 years and counting...

Mr Sahota was originally tempted to build the outbuilding following 'lawful development' rules, but as his rear garden is slightly wider/ larger than adjacent properties, he decided that it was wise to obtain a 'certificate of lawfulness' for this proposed development (as advised by the duty planning officer).

Having now received a 'refusal' from the council, he has decided to appeal this decision.

Whilst Mr Sahota's reasons for an outbuilding of a proposed size are unusual, we feel that the council are wrong to state, in his particular circumstances, that the proposed outbuilding, 'by reason of its overall size and scale is not considered to represent a development required for a purpose incidental to the enjoyment of the dwelling house'.

We welcome the inspector's views regarding the above statement.

If the inspector, on balance, is unable to approve this application, we hope that the inspector may be able to highlight aspects of this design that the inspector perceives to be approve-able (eg, the concept of an outbuilding here, for this family's training use, of a size and architectural style yet to be determined), to perhaps assist both the council and client to decide what scale of development can receive 'lawful development' or planning approval here eventually..

We are also providing a statement by Mr Sahota, that further explains how stances are practised in 'Kata' (fixed fighting formation) and 'Kihon', necessitating the applied-for size of outbuilding

We welcome the inspectors considered thoughts re the following

aspects of this appeal..

1. the (required/ desired) footprint of the proposal.

a. We are pleased to note that no other queries have been raised by the council re; the proposed height or the position of the outbuilding, in terms of 'permitted development rights' allowed here.

b. The council are correct to state that the footprint of the outbuilding is approximately 66m² (but please note that the internal footprint proposed would be less than 57m², and excluding spaces for equipment storage, etc and a wc, the space left for 'mirror image' Kihon walking exercises would be just under 50m² here)

c. Please refer to the photographs 'in context', drawing 54A, to show how the space is used; Mr Sahota and his children would be able to use the space to practice 3 parallel lines of 'Kihon' (basics) training here; so, if three people were training side-by side, the depth of the outbuilding is 5.4 metres and represents the length in which stationary and moving techniques can be honed/ practised, whilst viewing mirrors; if there were 2 family members training in parallel together, this would give each of them a maximum of 9.4 metres length, in which to string together up to 6 stances.. we look forward to hearing the Planning Inspector's views re whether this wish to exercise in this way is 'for a purpose incidental to the enjoyment of the dwelling house'.

d. Now the client is aware that this proposal has been refused, he has been given the confidence to at least try for 'approval on appeal' here because of the variety of designs of outbuildings that have already been built in the vicinity, and the degree of 'subjectivity' within the planning officer's written statement.

d. Whilst the planning officer states in their report that 'no evidence has been put forward to show that the proposed building, its size and layout is reasonably required for a purpose incidental to the enjoyment of the dwelling house', we hope that the extra information attached to this appeal below (eg, statement by client; various certificates received over a period of time; extracts from coaching books, etc) will further inform any new decision made here by the planning inspector.

e. We understand the planning officer's concerns regarding reference to 'sham proposals' in the council report; but, as per the client's statement below, the Katas (fixed fighting combinations) would require around 14-15m² of floor-area per person, which explains why the client is eager to provide the proposed floor area.

f. we understand that any 'lawful development' approval here will only be relevant regarding the stated usage, and any subsequent usage not covered under any 'lawful development' permission here could be subject to future enforcement action/ requirement of retrospective planning approvals, etc

g. Interestingly, the training manoeuvres undertaken by the client do not require 'height', and therefore the proposal is able to be accommodated within the 2.5m maximum head-height allowed.

h. Some exercises require the use of fixed equipment – the position of these 'hanging' elements is shown on plans, under steel beam supports (4 x red 'x's)

i. The proposed layout allows for 1 x length of wall, approximately 8 metres long,

suitable for the affixing of full-length mirrors, to help the family members monitor each other's training exercises.

j. Whilst some exercises can be undertaken outside during the summer, the use of various mats and other pieces of equipment, plus the requirement to practice during the winter, thus merits the client's decision to propose the outbuilding here.

k. please note, the planning officer erroneously states in the planning report that a nearby domestic outbuilding is occupied as a 'dojo/ karate/ gym- (whilst this 'information' may have been stated by the council as a way to 'beef-up' a reason for refusal here- this 'title' was erroneously placed next to a general note on our drawings when re-formatted, and does not refer to any existing outbuilding in the vicinity).

We welcome the inspector's considered opinion regarding the above points.

If the inspector were to agree to approve the proposed outbuilding here, the clients are aware that there would be absolutely no automatic right/ no permitted development rights to further intensify any use here, either now or in the future. A clearly-worded statement to this effect on any supportive decision would be welcomed.

CONCLUSION

We still feel that this outbuilding, if/ when approved, will not detract from the quality of the architecture/ street scene here, and can be seen to meet all the requirements of the GPDO (General Permitted Development Order)

We hope that the inspector can take all the above points and comments into consideration when reviewing this appeal and we look forward to receiving the inspector's considered response.

cc client

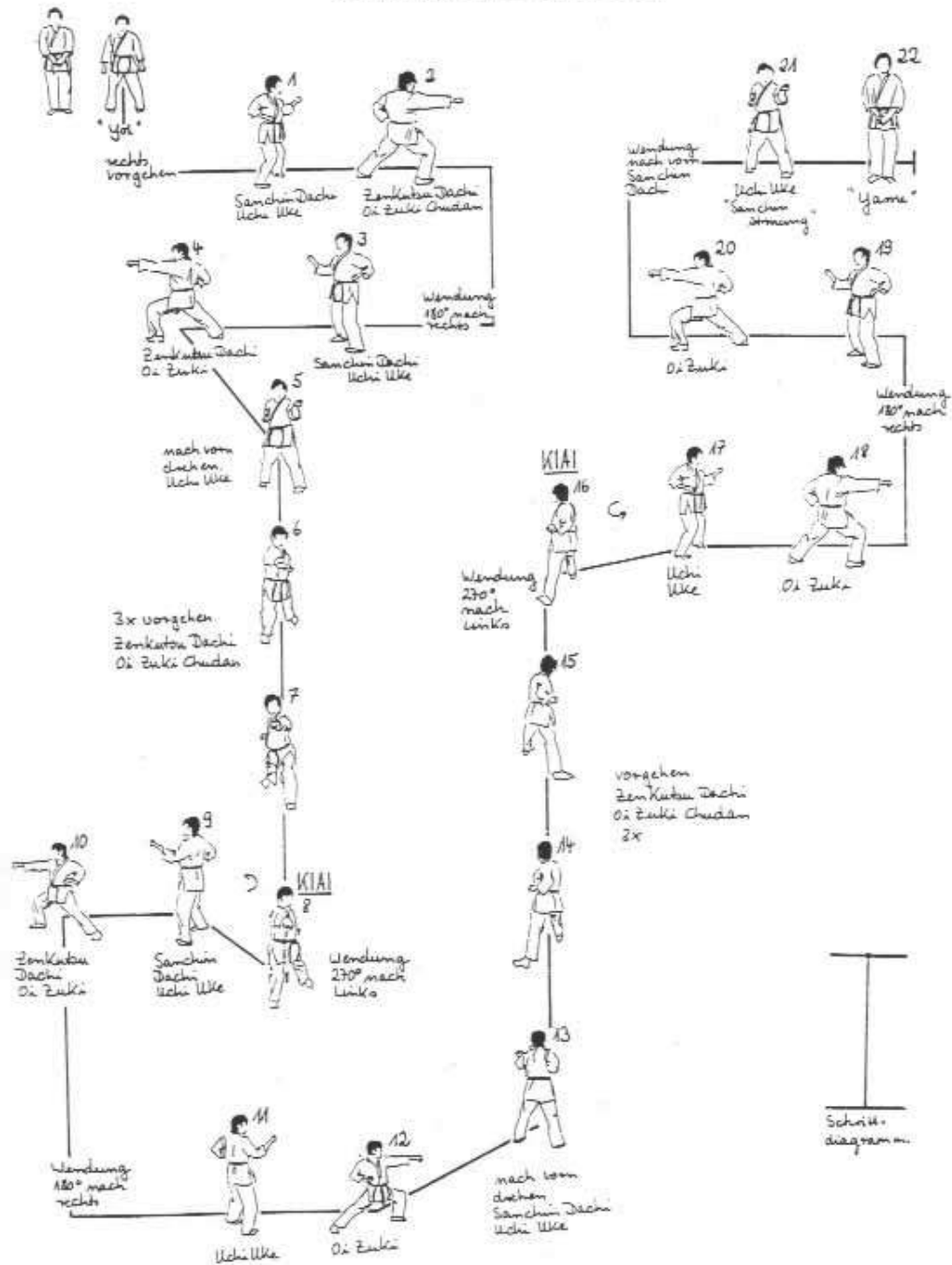
END

following, a statement by the client/ owner, re the use of this karate 'dojo' / gym / store;

also, 3 x certificates received (first one received in 2005, and the last two received by the client, Mr Manjit Singh Sahota this year (2018)- note these are random, and the client and children have others..)

also, further photos/ diagrams of equipment/ poses.

TAIKYOKU CHUDAN



My journey started with karate over 30 years ago and have ever since enjoyed learning and teaching Goju ryu Karate-do. It has always been part of my life and ultimately becomes a way of life.

There are 3 main areas that requires us to train in, Kihon (Basics), Kata (fixed fighting formation) and Kumite (sparring).

Kihon which are known as basics require both stationary and moving techniques. Can be anything upto 6 stances forward and back in a straight line. The stance in question is long stance (Zenkutsu-dachi) as shown below

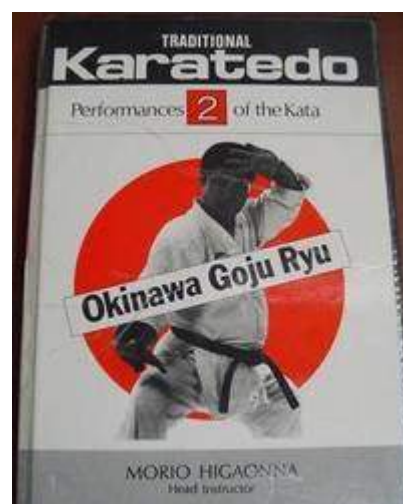
This stance dependent on height can be around a meter long.

Its is these stance which are used in Katas (fixed fighting combinations) and would require an individual around 14-15 sqm each so if 3-4 people were performing them together would require 55-60 sqm.

These are the more basic katas and some of the more advance katas would require more area to practice in.

The area in question is to used myself along with my two children who have also been training karate for the last 5-6 yrs.

One of the books that can be referenced to is below and showing what kata is and how it's practiced.



REGISTERED NO.
09998



THIS IS TO CERTIFY THAT

MANJIT.SHNHG.SAHOTA

BORN 06 01 1980

HAS BEEN PROMOTED TO THE GRADE OF

2ND - DAN

GOJURYU KARATE-DO SEIWAKAI

ON THIS DAY 20 10 05

MEMBER OF ALLJAPANKARATE-DO FEDERATION

MEMBER OF ALLJAPANKARATE-DO FEDERATION GOJUKAI

GOJURYU KARATE-DO SEIWAKAI

CHIEF INSTRUCTOR *Shuji. Tasaki*

BRANCH *GREAT BRITAIN* INSTRUCTOR *[Signature]*



