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APPEAL STATEMENT
Application Ref: 8788/APP/2019/1229

SITE ADDRESS:

50 MORAY AVENUE
HAYES
UB3 2AX

APPLICATION DESCRIPTION:

Single storey outbuilding to rear for use as a gym/store/utility
(Retrospective)

APPEAL STATEMENT:

This Appeal statement should be rear along with the submitted Planning Statement that gives all the details including the background of the application and the proposed changes to comply with regulations of th council.

The appeal statement would however only address the refused decision and its reasons.

The Council states, *"The proposed outbuilding by reason of its size, scale, bulk and design would create an unduly incongruous form of development which would fail to be subordinate to the existing dwelling house and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area....."*,

Perhaps the Council has not noticed that the application site has a large rear garden, the size of which is 341.8sq. mtr. The Permitted Development Right states that about half of the garden area can be built upon. The out-building total area is 54.5 sq. mtr. Therefore the out-building structure is not an unduly form of development. It is subordinate to the existing dwelling and poses no harm to the visual amenities of the surrounding area. Also the out-building would not be visible from the street; hence the reasoning of the Council that the out-building would affect the visual amenity of the street scene is incorrect.

The structure as it stands differs slightly to the requirements of permitted development, the rear elevation being 2.6mtr high. It was the owners' request to the Council to accept this negligible difference in roof heights.

The Council also states in the refused decision letter, *"The proposed outbuilding, by reason of its size, scale and the availability of independent access to it, is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted due to requirements for parking and amenity space and the impact on the adjoining properties."*

The out-building did have kitchen units installed for using at family BBQ and during works-out in the Gym. Once informed that the presence of kitchen units is not acceptable, the owner had agreed to remove the units and this was made part of the application. However the reasoning of the Council is not justified only because the out-building can be accessed independently. The owner does not wish to use the outbuilding as an independent dwelling unit.

CONCLUSION

It is our humble request for the Planning Inspectorate to over-turn the refusal and grant planning permission



Out-building



Out-building