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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 retrospective 'planning permission' application (refused) regarding an extension to a lawfully-approved outbuilding to be used as an additional storage area for Mr Gordon Summerfield and family, at the family residence, 25 Oak Avenue, Ickenham, Middlesex, UB10 8LP (Hillingdon Council reference 24261/APP/2020/4003).

Dear Sir/ Madam,

Mr Summerfield and his family (and his parents previously) have lived at this address for many decades and will continue to live and plan ahead for their family's future here. This proposed lawful development outbuilding would provide Mr and Mrs Summerfield with additional storage space associated with their hobbies and interests (principally concerning their involvement with recreational village cricket and netball coaching).

Background information.

Mr Summerfield self-built the 'original' summerhouse/store with help from his family/ friends back in the year 2005. At the time, (2005) it met all the 'lawful development requirements regarding positioning, purpose, heights and materials, and has been used by the family for storage and as a summerhouse / children's games-room over the years.

At that same time, Mr Summerfield also dug and laid concrete foundations to the side of the summerhouse. It was Mr Summerfield's intention to further extend the summerhouse 'under the then-current lawful development legislation' when required and when funds and time allowed....

During the first 2020 Covid lockdown, Mr Summerfield and his son had time on their hands and kept themselves occupied by building an extension to the outbuilding. From the rear of their home, the side extension of the property appears as a continuation of the original slate roof (eg, it matches existing materials and existing heights), and Mr Summerfield continued this work 'remembering' that it was allowed under 'countrywide permitted development rights'.

[Unfortunately the government adopted more stringent lawful development laws in c 2008, reducing the allowable height of outbuildings if they are within 2m of any adjoining shared boundary].

When contacted by the council, and after the current planning legislation situation had been explained to him, Mr Summerfield has left the extension building work unfinished and when Covid restrictions have allowed, has applied for a retrospective planning consent for this work (please note that the planning application makes some changes to the envelope/ volume currently present, and Mr Summerfield is aware that if a retrospective approval is received for this extension, some reduction in current roof volume to the rear would occur).

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

Whilst Mr Summerfield's reasons for an outbuilding of a proposed size are slightly unusual (eg, storing cricket bags, bats, cricket netting, matting, netball posts and further kit etc), we feel that the council are wrong to state, in his particular circumstances, that the proposed outbuilding 'by reason of its design, cumulative width, size bulk and massing has created an unduly incongruous form of development which fails to appear subordinate to the host dwelling'.

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 extended outbuilding here, for this family's use, of a size and architectural style to be determined), to perhaps assist both the council and client to decide what scale of development can receive planning approval here eventually..

On reading the council's delegated householder decision planning officer's report, we are pleased to note that the planning officers are happy regarding the current/ proposed external amenity (garden) space here; also that parking and highways safety is not impacted by these proposals; also that the proposals as drawn would not affect the residential amenity of the neighbours to the rear of the outbuilding (numbers 24 and 26 Parkfield Road); also that the council are content that the proposed use would be acceptable as incidental to the use of the main house, and would not result in unacceptable noise and disturbance for neighbouring occupiers.

We are also pleased to note that the council's planning decision is based on the deposited planning drawings (and do not 'assess' the current rear flat roofed volume, which we know will need to be removed as soon as any approval is received)

We welcome the inspectors considered thoughts re the following aspects of this appeal..

1. the external design/ appearance 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 original outbuilding, in terms of 'permitted development rights' as were allowed here c2005.

b. The council are correct to state that the footprint of the outbuilding (old and new) is approximately 67m² (but please note that the internal footprint proposed would be less than 59m² in total, of which 18m² would be within the new extension)

c. We feel that it is important to state that, in my own experience, outbuildings of similar (eg, 66m²) footprint have been approved on appeal, within the London Borough of Hillingdon

d. In our opinion, the client has carefully detailed the extended front elevation, and built it with some sensitivity, to vary the 'building-line' here, to add interest and variation to this front elevation (helped by the historic inset canopy and generous eaves overhang as per the original outbuilding)

e. In our opinion, the rear-most side extension could have been easier and neater to

construct as an 'extrusion' of the original outbuilding volume, set away from the rear boundary by approx 1.1 metres. It is important to note though that this rear elevation is 'hidden' by mature evergreen cypress trees, planted within the neighbour's garden and under the ownership of the neighbours to the rear here. It is also important to note that this area of extra flat-roofed rear extension has a floor-area of 3.4m x 0.9m = 3m² in total. We would welcome the Planning Inspector's views regarding this part of the proposal, but would hope that it is of such insignificant size as to be allowable/ approvable here.

f. The side elevation of the proposed extension facing the side boundary of number 27 Oak Avenue would be of considerable less volume than is currently present (due to the necessary removal of the rear-facing high flat roof construction here). The appearance of the side elevation would then match the existing and (as-then) lawful heights of the eaves and ridge of the original outbuilding. When completed, the finishes of these elevations would match and be a continuation of the finishes of the original outbuilding.

We welcome the Planning Inspector's comment regarding whether these choices have been sensibly and sensitively made.

g. We believe that the above choices respect the 'local character, materials and form' in this vicinity.

h. The proposals are still subordinate to the size and scale of the existing home and gardens in this instance (please refer to floor plans that show 378m² of retained rear gardens, with borders and laid to lawns, and the existing house has a floor area of 120m² at ground-floor level, plus a further c100m² of first-floor rooms = 220m² floor area in total, compared to the further 19m² of outbuilding extension currently proposed).

2. the footprint/ volume of this proposal, regarding the effect of the proposal on the character and appearance of the original dwelling..

2a. The council's stated policies DMHD 1 (2020) aims to ensure that any approved development should not have an adverse cumulative impact on the character and appearance of the street-scene, and should appear subordinate to the main dwelling.

2b. As this outbuilding is unable to be viewed from the nearby streets, and as the outbuilding is demonstrably subordinate to the main building, we would suggest that this proposal meets this policy's stated aim, and we welcome the Planning Inspector's view on this aspect of this appeal.

2c. The council's stated policy DMHD 2 (2020) aims to ensure that any approved development meets four stated criteria, i), ii) iii) and iv) reproduced below.. (our comments in red)

i) 'The building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers'. - we believe that the outbuilding, if approved and when construction is complete, would meet this aim.

ii) 'The developed footprint of the proposed building must be proportionate to the footprint of the existing dwelling house and to the residential curtilage in which it stands and have regard to existing trees'. - we believe that the outbuilding has been shown to be subservient in volume to that of the existing house, and because the rear garden is so large here, can be found to be proportionate to the residential curtilage in which it stands. No trees will be affected by these proposals (and no trees stood here previously, as concrete foundations had already been dug and laid sixteen years ago, as previously stated)

iii) 'The use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation'. - **the planning officer's written report clearly states that the submitted drawings '...shows that the outbuilding does not contain any kitchen or washing facilities for it to be used as a residential unit.'**

We would welcome that a planning condition be included, in any approval that might be granted, to this effect.

iv) 'Primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted'. - **As stated above, no kitchen, wc or bedroom is present or proposed here.**

2d. In refusing this planning application, the council are commenting that the deposited drawings are lacking in 'quality of design' and 'principles of good design'.

We believe that the council are somewhat 'overstating their case' when they assess and write that '...the constructed extension has unacceptably added to the mass and bulk of the outbuilding to such that (sic) the extent that the resulting outbuilding is visually akin to a *barn* noting in particular its pitched height at 4 metres and timber external finish.'

We welcome the Inspector's views regarding whether this approach has resulted in an outbuilding that looks like and has the dimensions of a '*barn*'- we believe that the simple choice of building form, and traditional materials visible and proposed here are in keeping with garden outbuildings/ sheds, and are a suitable and considered and defensible choice here.

2e. Most importantly, in relation to the above point, it is clear from the planning officer's written comments reproduced above, that the officer is commenting regarding 'the *constructed* extension' (our italics) and not necessarily assessing the detail/ slight reduction of roof volume as per the deposited drawings under planning consideration. We would welcome the Planning Inspector's comments on this aspect of this appeal.

3. the 'Residential Amenity' of this proposal.

3a We note that in the planning officer's published report, the final paragraph under this heading reads 'It is considered, on balance, that the resulting outbuilding (including the recently constructed extension) does not have such a significant adverse impact on the residential amenities of neighbouring occupiers to the (sic) justify a reasonable grounds of refusal on this basis.'. This planner's statement/ conclusion appears to support the proposals here.

3b. But we also note that in a paragraph preceding this, the council report states '... However, given the location of the outbuilding and noting its eaves height of 2.4 metres, it is considered, on balance, that the constructed extension has caused serious harm to the private amenity space at number 27, in terms of overshadowing and overbearing impact.'

We would wish to emphasise to the Planning Inspector that the existing mature evergreen cypress type trees within the neighbour's rear garden at number 26 Parkfield Road, directly behind and to the South-West of the outbuilding and proposed side extension are approximately 8 metres to 9 metres high, and that, given the orientation of the site here, and the density of the evergreen foliage here, these trees would already create overshadowing to the adjacent neighbour's garden at number 27 Oak Avenue from approximately 11am onwards (eg, there is no extra overshadowing /loss of sunlight created here by the extension). Therefore we find it hard to agree with the council's assertion that serious overshadowing harm has occurred to the rear garden (let alone the private amenity space) of 27 Oak Avenue in this instance (please refer to the photograph on the left hand side of drawing 02A).

3c. The closest corner of the extended outbuilding is 24 metres away from the closest rear corner of the neighbouring house at number 27 Oak Avenue, so we assume that the council's assertion that the extension 'has caused serious harm to the private amenity space at number 27', was added 'in error', and we welcome the view of the Planning Inspector.

3d. If the council's reproduced final paragraph is accurate, then the requirements of Policy DMHB 11 have been met regarding the assessed impact on the amenity, daylight and sunlight of adjacent properties.

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

If the inspector were to agree to approve the proposed extended 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 proposal, if/ when approved, will not detract from the quality of the architecture/ street scene here, and can be seen to meet the objective and subjective requirements of the council's stated planning policies

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

POSTSCRIPT

Currently there is a tiny low-eaves loft-space above the original outbuilding's ceiling.. even with a fixed stair here, it has been impossible for Mr and Mrs Summerfield to regularly use this space for storage of cricket/ netball/ hobby equipment, as it is really difficult to crawl into these spaces. As a result, the 'summerhouse' area has become a 'dumping ground' for various equipment, and other equipment has previously been stored in the main house, to the detriment of family life.

As an architect, I cannot fault the client's design choice re the outbuilding roofline that is visible from the house. I can also understand why the footprint of the building has been built this way, because if the concrete foundations had already been laid 16 years ago, it would be difficult to break-out and re-dig and re-lay foundations alongside this side boundary (although this is not impossible). But if the Planning Inspector is minded to refuse this application solely with reference to the proximity of this extension to the side boundary here, it would be really appreciated if the Inspector can give a definitive dimension in relation to this boundary that the Inspector would find 'approve-able' if/when a further planning application were to be merited here.

We note that there are various outbuildings in the rear gardens in both Oak Avenue and

Parkfield Road. The largest outbuilding researched is an outbuilding built under 'lawful development' legislation, that has a footprint of approximately 7m x10m = 70m²- this was agreed by the council as 'lawful development' after being investigated by the council's enforcement officers in 2018 (ref ENF/458/18).

We also note that a domestic outbuilding was approved on appeal within the nearby rear garden of 31A Oak Avenue, Ickenham, granted 17th July 2019 but is (as far as we are aware) yet to be built.

(We recognise that each planning application must be treated on its own merits, but we mention this fact as a positive example of an application where a Planning Inspector has found in favour of a disappointed applicant in recent years).

We also note that other outbuildings of some size exist at 21 Parkfield Road; 13 Parkfield Road; 4A Parkfield Road; 5 Oak Avenue; 28 Oak Avenue; 23 Oak Avenue, amongst others.

If, on balance, the Planning Inspector is inclined to approve this planning application, we feel that a further planning condition must be added to any approval, defining a timeline for the alteration of the rear-facing temporary flat-roofed area and replacement with matching blue slates as elsewhere on the original outbuilding; plus completion/ making-good of exterior elevations (for example, to be completed within 4 calendar months from publication of any subsequent approval, or any other timespan that the Inspector would wish the client to work-to).

(Originally, when liaising with the council regarding this application, it was made clear to the council that the client would be happy to remove the rear extension roof before any planning permission certificate were to be issued, but perhaps partly due to covid times, and perhaps due to the council's preference to refuse this application at first asking, this offer was not progressed prior to the council's refusal certificate being issued)

END