

# PLANNING STATEMENT

43 Hillingdon Hill, Uxbridge UB10 0JF

## Introduction

This Planning Statement has been prepared in support of an application for a Lawful Development Certificate for the construction of an outbuilding at 43 Hillingdon Hill, Uxbridge UB10 0JF ('the site') under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO').

## Site Context

The site is situated on the north side of Hillingdon Hill. It contains a two-storey detached dwelling with a hipped roof and front double bay. The dwelling is finished in brick and render. The dwelling is set back from the highway and the front driveway provides off-road parking. The rear garden is rectangular and measures approximately 26m in depth. An existing outbuilding is situated to the north-eastern corner of the plot.

Permitted development rights have not been removed from the site, either by an Article 4 Direction or planning condition.

### Planning History

15017/APP/2021/4640: Demolition of existing front canopy and erection of a front porch extension.  
Approved 23.02.2022.

15017/APP/2016/3907: Part two storey, part single storey side / rear extension, single storey front extension, conversion of roof space to habitable use to include three side dormers involving demolition of existing garage and side element. Approved 25.01.2017.

15017/APP/2016/1349: Part two storey, part single storey side / rear extension and conversion of roof space to habitable use to include four side rooflights and one rear rooflight.  
Refused 13.06.2016.

## Proposals

This application seeks a Lawful Development Certificate for the construction of a new outbuilding in the rear garden of the site. The outbuilding would provide a small office space and gym with sauna and shower room.

The building measures 10m in depth and 9.98m in width. It would have a flat roof measuring 2.5m in height. The building would be finished in facing brick and would include aluminium bi-fold doors to the front elevation.

The existing outbuilding would be demolished.

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The proposed outbuilding would be classed as the provision within the curtilage of a dwellinghouse of a building required for a purpose incidental to the enjoyment of the dwellinghouse as such. Accordingly, the development falls under Schedule 2, Part 1, Class E of the GPDO.

## Class E Permitted Development Rights

As per Schedule 2, Part 1, Class E, the following works are permitted development:

E. *The provision within the curtilage of the dwellinghouse of –*

- (a) *any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or*
- (b) *a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.*

The site contains a dwellinghouse falling within Use Class C3. The proposed use of the outbuilding as office and gym with sauna and ancillary shower room would be incidental to the enjoyment of the dwellinghouse. No primary living accommodation is proposed.

### Paragraph E.1 of Class E

Paragraph E.1 of Class E details instances where development under Class E is not permitted. Assessment against this criteria is provided below.

Class AD.1 Criteria	Assessment
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);	Not applicable, the dwelling is a purpose-built dwellinghouse.
(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	The total area of ground covered by buildings, etc. would not exceed 50% of the total area of the curtilage.
(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	The outbuilding would be sited in the rear garden and no part of the building would be situated forward of the principal elevation of the dwelling.
(d) the building would have more than a single storey;	The outbuilding would be single storey.
(e) the height of the building, enclosure or container would exceed – <ul style="list-style-type: none"><li>i. 4 metres in the case of a building with a dual-pitched roof,</li><li>ii. 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or</li><li>iii. 3 metres in any other case;</li></ul>	The outbuilding would be sited within 2 metres of the boundary of the curtilage of the site and would not exceed 2.5 metres in height.

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(f) the height of the eaves of the building would exceed 2.5 metres;	The outbuilding would have a flat roof with eaves at 2.5 metres.
(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;	Not applicable.
(h) it would include the construction or provision of a verandah, balcony or raised platform;	The outbuilding does not include a verandah, balcony or raised platform.
(i) it relates to a dwelling or a microwave antenna;	Not applicable.
(j) the capacity of the container would exceed 3,500 litres;	Not applicable.
(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	Not applicable.

### Paragraph E.2 of Class E

Paragraph E.2 of Class E states that, *“in the case of any land within the curtilage of the dwellinghouse which is within –*

- (a) *an area of outstanding natural beauty;*
- (b) *the Broads;*
- (c) *a National Park; or*
- (d) *a World Heritage Site,*

*development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.”*

Paragraph E.2 is not applicable as the site is not within any of the designations listed.

### Paragraph E.3 of Class E

Paragraph E.3 of Class E states that, *“in the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.”*

Paragraph E.2 is not applicable as the site is not article 2(3) land.

## Conclusion

The proposed development comprises the construction of an outbuilding within the rear garden of the site. It is demonstrated that the development accords with the requirements of Schedule 2, Part 1, Class E of the GPDO and there are no reasons why the Certificate of Lawfulness should not be given.

## Supporting Documents

- Proposed – 102 Rev A
- Site Location / Block Plans – 103