

25, The Chase

Pinner, HA5 1SJ

Proposed Garden Pavilion

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DESIGN & ACCESS STATEMENT Application for Certificate of Lawfulness

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1. Introduction

This Design & Access Statement has been prepared to support the application for the Certificate of Lawfulness for the Permitted Development of the garden structure at the end of the property 25, The Chase. The proposal is designed to provide accommodation for a gym and sauna, promoting a healthy lifestyle for the family. The proposal has been designed of high architectural quality appropriate to the neighbouring environment.

2. The Site

The site is located on the North Western side of The Chase, Eastcote, in the private garden of Number 25. The garden is 40m long and 12.5m in width, with the rear gardens of neighbouring properties on all 3 sides of it's boundary.

The surrounding gardens of each neighbouring property are heavily vegetated with large trees located along the sides of the boundary as well as toward the bottom end of each plot. Each dwelling benefits from the privacy gained through this vegetation. The plot sits on a SE-NW line benefiting from large amounts of exposure to natural light throughout the entire day.

At the rear of the two neighbouring adjacent gardens are existing outhouses. Several recent extensions and developments have been erected within the immediate area. These alterations have been of a pastiche and contemporary design. This multitude of architectural qualities allows for new and unique developments to take place. The property at 25 The Chase is not listed and not located within a Conservation Area.



Photograph of Site from top of garden



Photograph of Site from rear window of existing house



Aerial View of Site

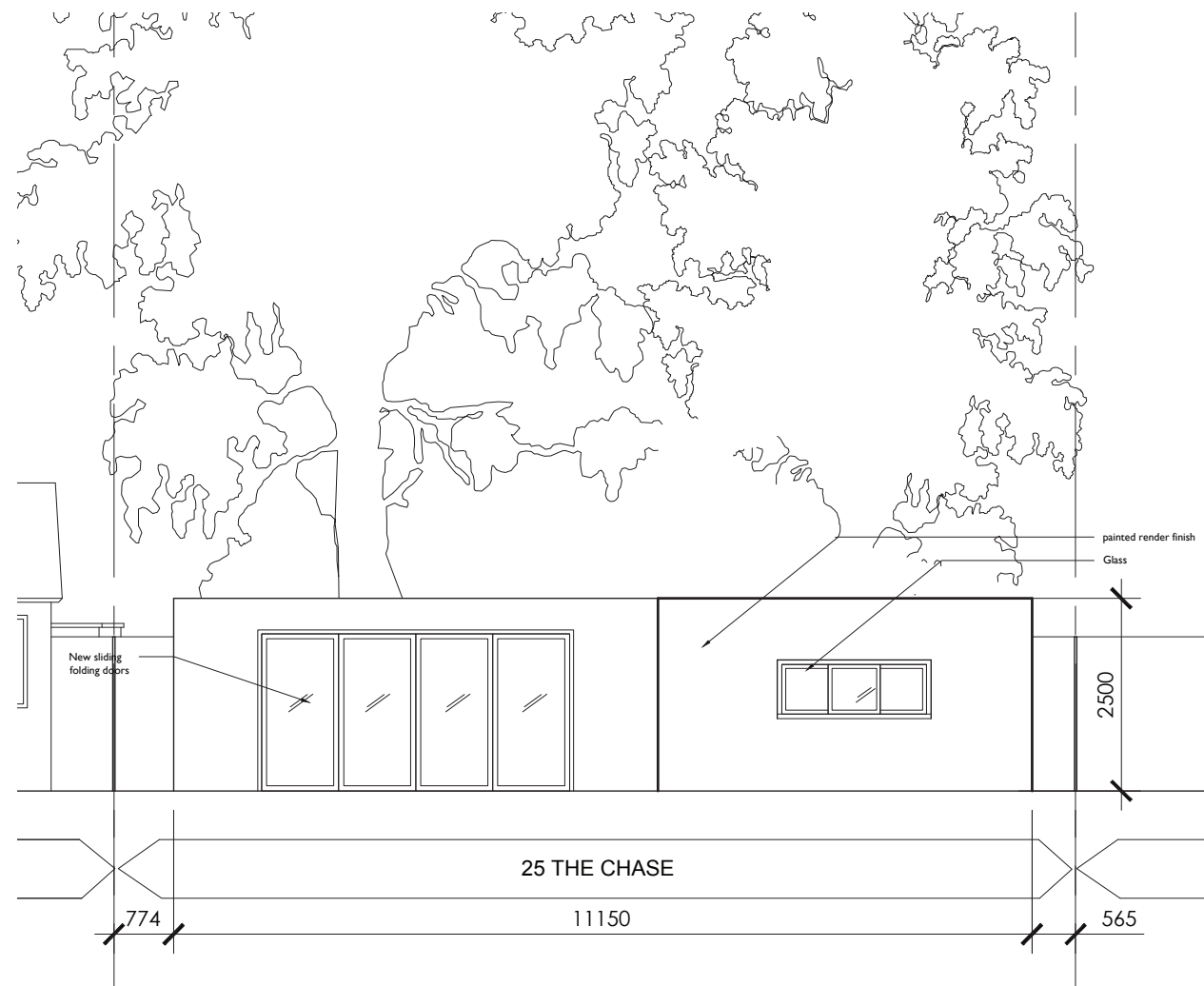
3. Satisfying Planning Policy

This Outhouse proposal falls comfortably within the boundaries advised by the “HDAS Supplementary Planning Document for Residential Extensions”.

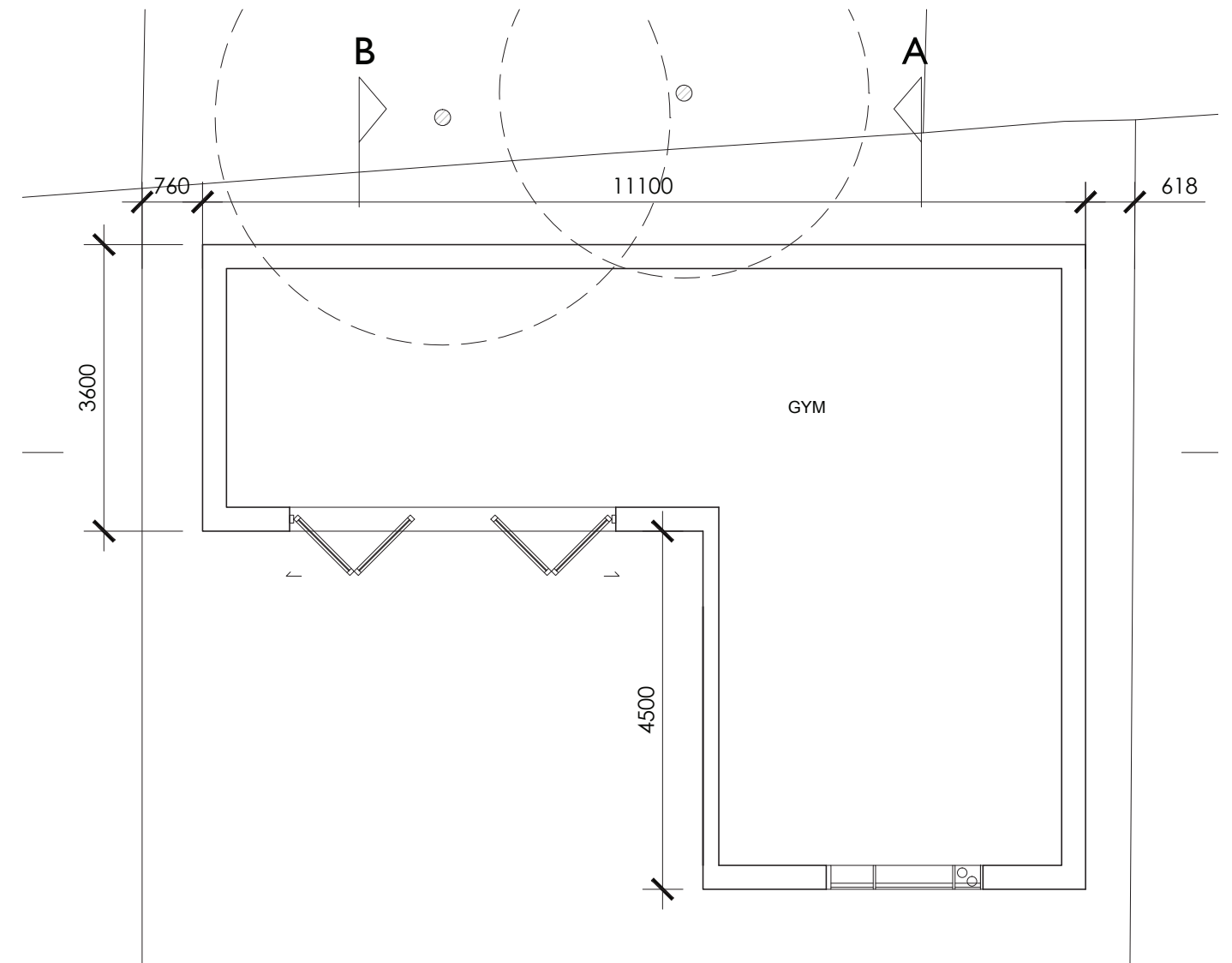
The exterior walls of the building remain at 500mm minimum distance from the surrounding boundary walls and the total area does not exceed more than 50% of the total garden space. (Total Area of Proposal = 50m², Total Area of Garden = 488m²)

The maximum height of any roof peaks at 2500mm.

The Plan and Front Elevation drawn below highlight all the key dimensions that are outlined within the HDAS Supplementary Planning Document, to demonstrate that our proposal falls within the guidance.



Front Elevation



Ground Floor Plan

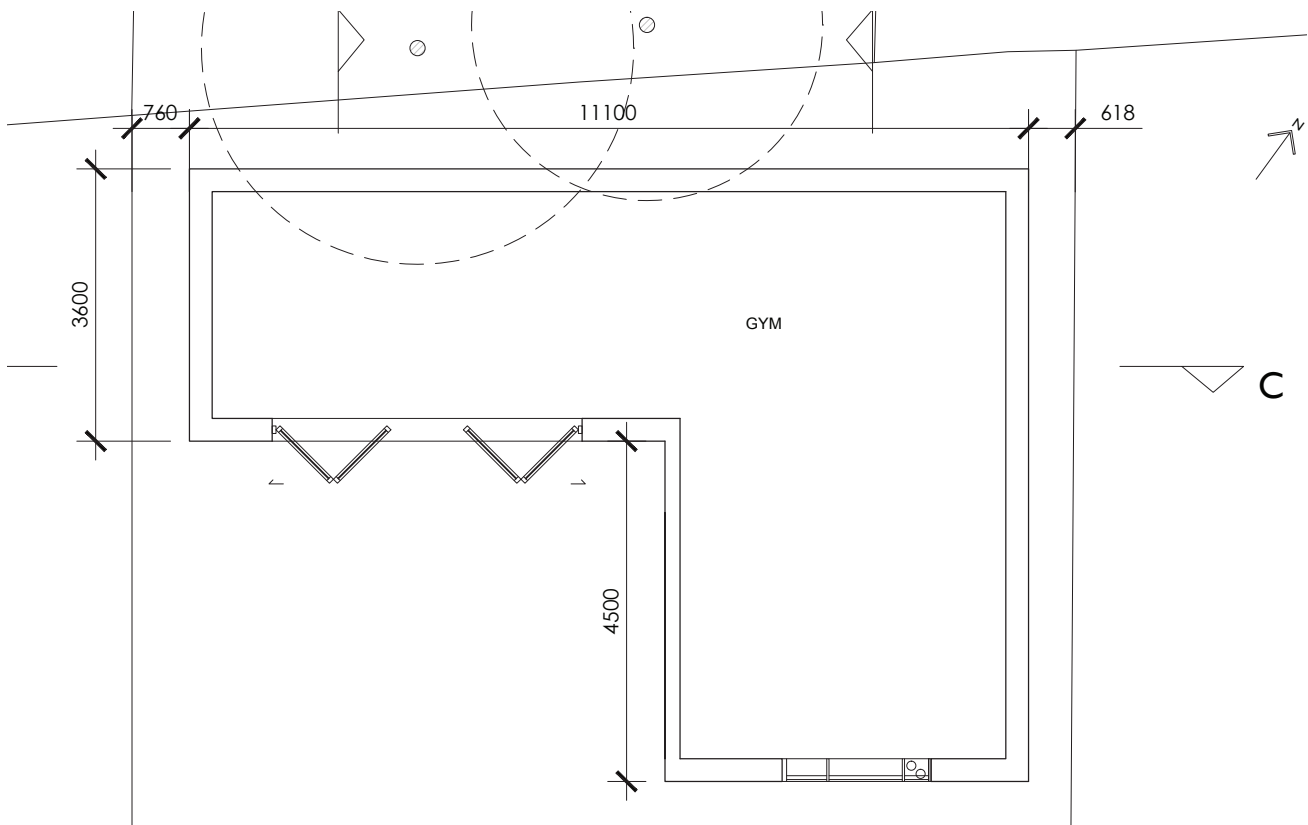
4. Design Approach

The purpose of this small garden pavilion is to provide a space for exercise and relaxation for the family of No.25 The Chase, promoting physical and mental well being. By taking up less than 15 percent of the existing garden space, and locating itself at the rear of the plot, this garden pavilion shall remain private and unintrusive to the neighbourhood and the host house.

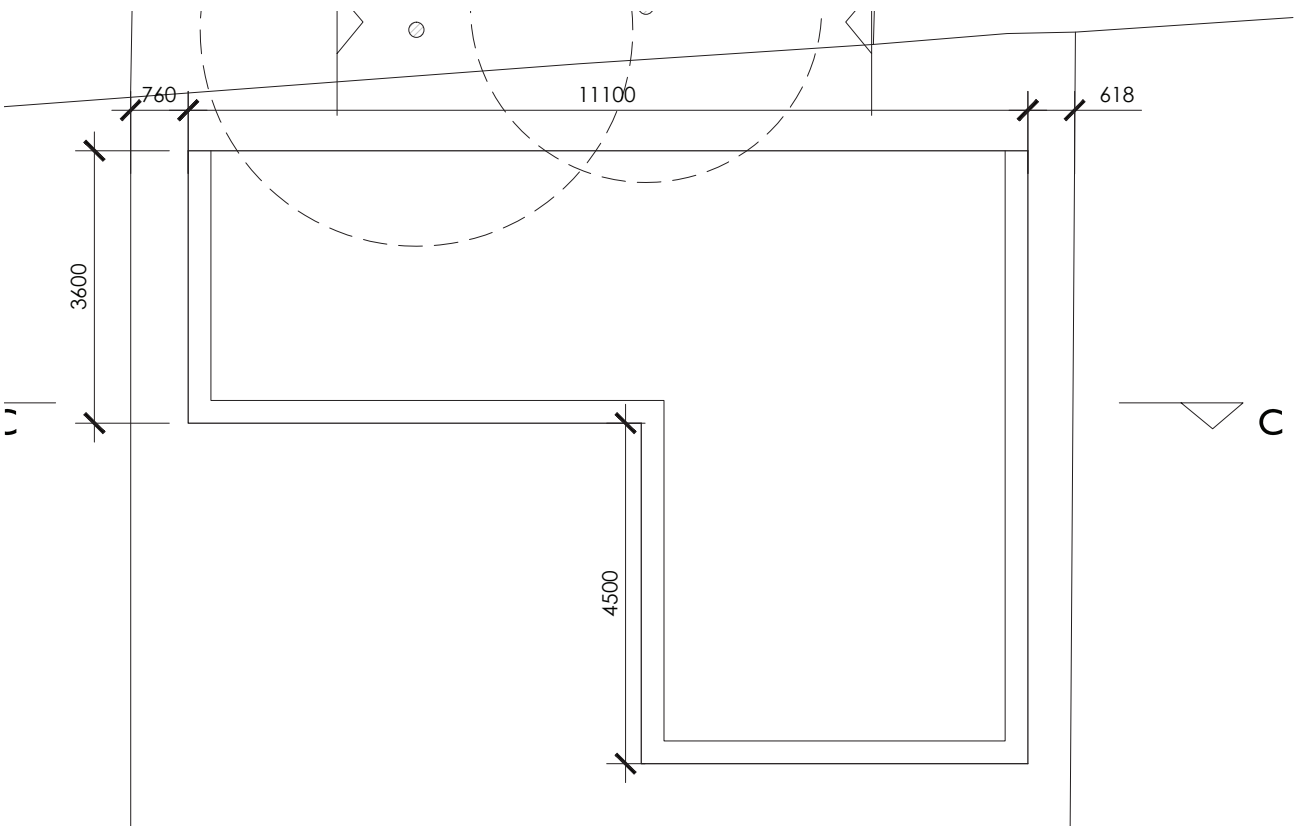
The application seeks approval for a 50m² gym, with direct access to a outdoor sheltered seating area and garden terrace.



Proposed Site Plan



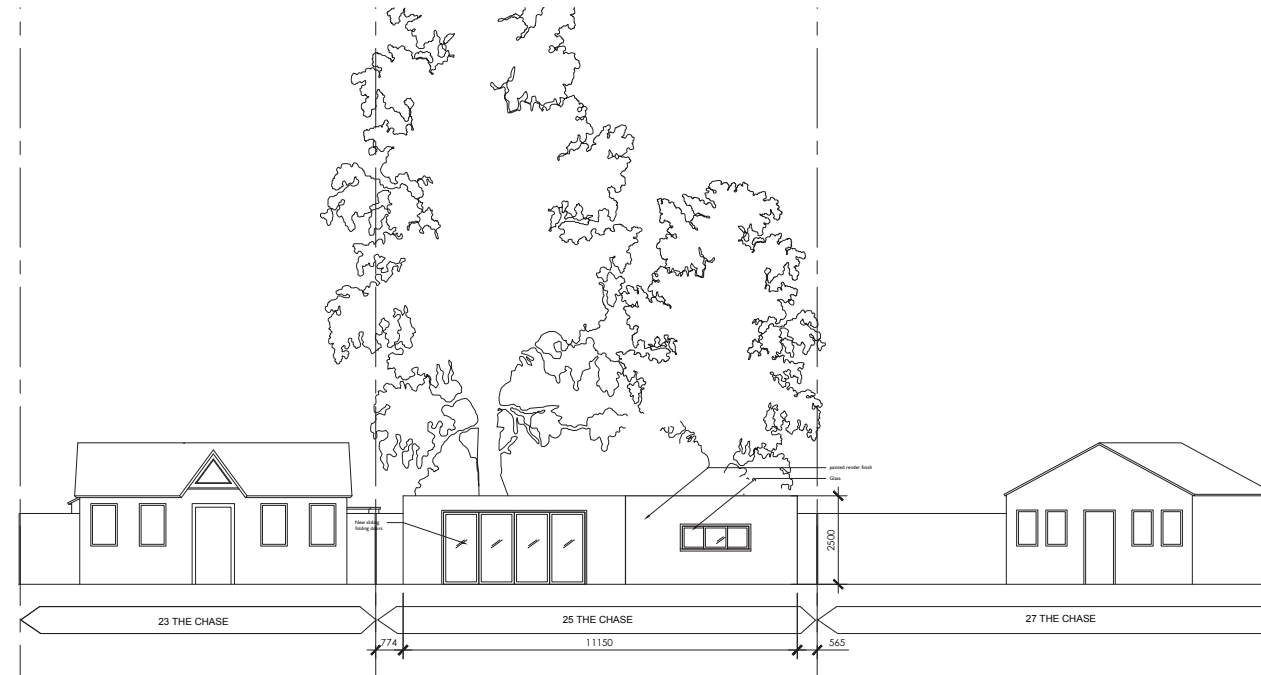
Proposed Ground Floor Plan



Proposed Roof Plan

5. The Design Proposal

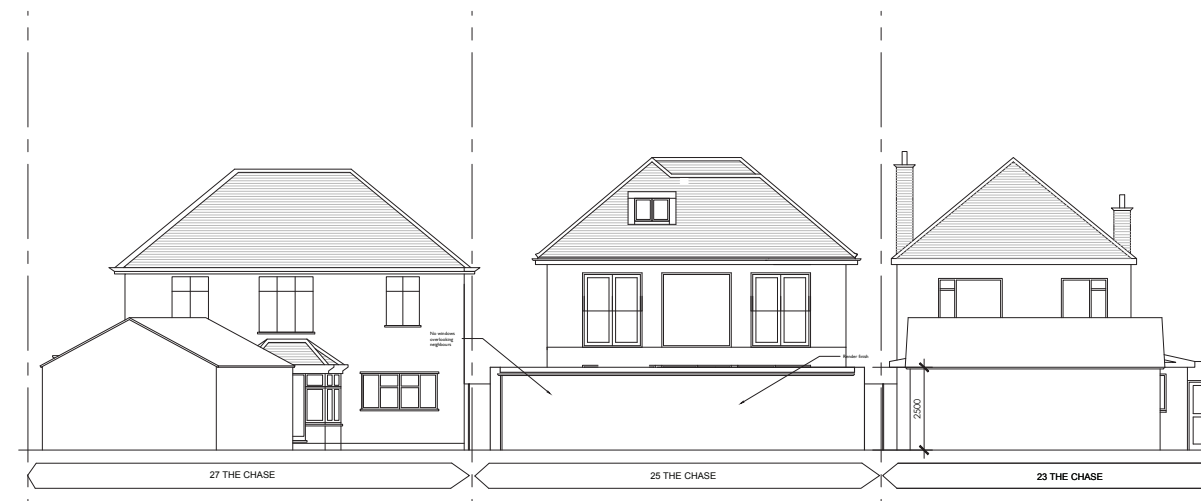
The principle for the new design is to provide a garden structural which is sculptural as well as functional. The piece should sit as a new focal point for the garden when viewed from the main dwelling house throughout the year and provides necessary storage of garden and gym equipment.



Proposed Front Elevation



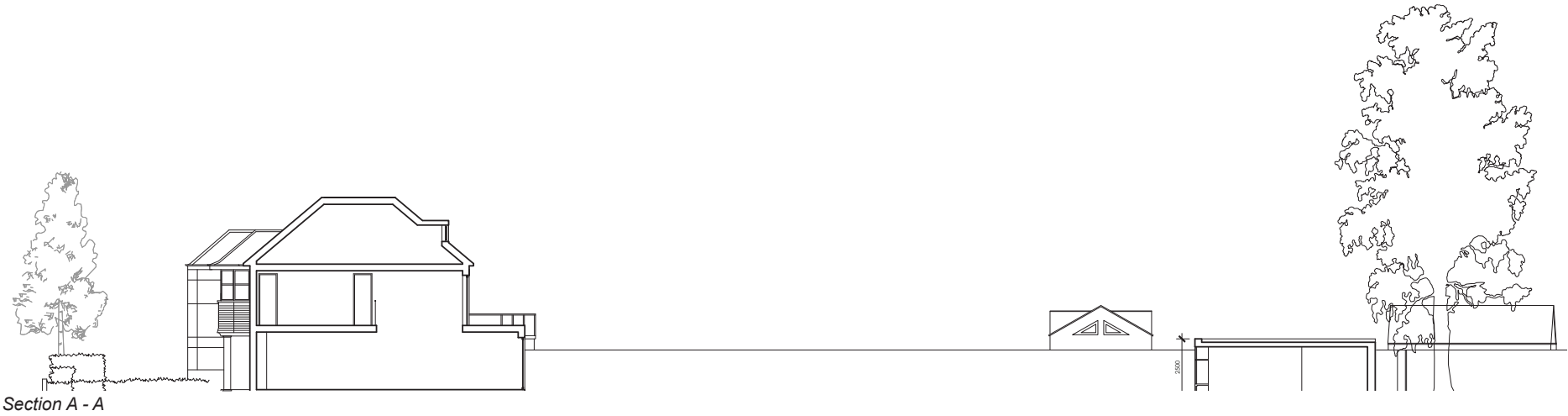
Proposed West Elevation



Proposed Rear Elevation



Proposed East Elevation



Section C - C

6. Recent Planning History

Applications for planning approval and an application for the certificate of Lawfulness was previously submitted for a garden structure (Hillingdon ref: 18233/APP/2019/1438 which was determined on 14th August 2019). The application was for a basic box shed with a different brief. The scheme included internal uses for the shed which were outside the permitted uses for a garden structure under Permitted Development policy guidelines.

The current application is based on a new and different brief from the client, and the uses sit comfortably within the Permitted Development uses. Comparing to the previous application, which included a kitchen and toilet area within the internal layout, the current application does not include any uses for primary living accommodation under Class E of Permitted Development Guidance.

The reason for refusal of Application 18233/APP/2019/1438 was clearly set out with the decision letter for the previous application; “The onus of proof (on the balance of probability) is on the applicant to show that what is propose incidental to the use of the dwelling house.

In this instance the applicant has not provided evidence to satisfy the Council that a building of this size proposed is reasonably required”.

The previous application covered an area of approximately 100 sqm which is allowable under the terms of the Permitted Development and the height and distances from the boundary were also acceptable. However, the proposed uses were not acceptable within the policy requirements for Permitted Development under Class E. It was noted in the Officer’s Report that the previously proposed outbuilding has a footprint which exceeds the footprint of the original dwelling house, subsequently, the outbuilding cannot be considered to be subordinate and incidental to the property. In the current application this has been remedied and the scheme now has a footprint which is less than half of the footprint of the original dwelling house.

Previously proposed scheme had a roof which was higher than 2.5m at some areas. We understand that this does not comply with the Permitted Development rules. In the current application the scheme has been amended so that the roof is no higher than 2.5m at any point.

The design has changed and the proposed heights and uses are now compatible with the Policy guidelines for a Permitted Development for garden structures.

7. Planning policy for Permitted Development

Planning policy guidance for outbuildings allowable under Permitted a Development is clearly set out with the Schedule 2, Part 1, Class E, paragraph 4 of the GDPO 2015. This sets out the terms by which garden pavilions will be acceptable and allowed under Permitted Development and certified by a Certificate of Lawfulness.

These guidelines are as follows;

Under this guidance the proposed development should be permitted if it respects the following parameters;

- a. The total area of the ground cover by the buildings, enclosures and containers within the curtilage (other than the original dwelling house), does not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house)
- b. No Part of the building is to be situated on land forward of a wall forming the principle elevation of the original dwelling house
- c. The building is single storey
- d. The building height does not exceed 2.5m on the basis that it is within 2m of the boundary
- e. The maximum height of the building elsewhere beyond 2m from the boundary will be no more the 3m to the ridge
- f. The house is not listed
- g. The building will be used solely for the purposes incidental to the enjoyment of the dwelling house and garden

Summary of Use Class E 4

For the purposes of Class E, “purpose incidental to the enjoyment of the dwelling house as such includes the keeping or poultry, bees, pet animals, birds and other animals.....”

We can confirm that the building complies with this policy in every respect as follows;

a. The total area of the ground cover of the buildings, enclosures and containers within the curtilage (other than the original dwelling house), does not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house).

The rear garden area is 480sqm measuring 40 m from the rear elevation of the house to the rear boundary and x 12 m from side to side.

The proposed enclosed structures cover a total ground area of 50sqm which equates to 11% of the rear garden area.

Allowed building height when the building is not within 2m of the boundary Allowed building height when the building is within 2m of the boundary

The structure and enclosures at 11% of the rear garden area are therefore considerably less than the 50% allowed within Permitted Development.

b. No Part of the building is to be situated on land forward of a wall forming the principle elevation of the original dwelling house.

The entire proposed structure is to be built in the rear garden behind the original dwelling house and therefore does not site on land forward of any wall forming the principle elevation of the original dwelling house.

c. The building is single storey.

The proposed garden structure is single storey with a maximum height of 2.5m overall.

d. The building height does not exceed 2.5m on the basis that it is at any point 2m of the boundary

The single storey structure does not exceed 2.5m in height of the building and is approximately 0.5m of the boundary fence on the side and 1m at the rear, therefore the structure sits within 2m of the boundary.

e. The maximum height of the proposed building will be 2.5m.

The proposed garden structure is single storey with a maximum height of 2.5m overall.

f. The house is not listed.

The house is not listed and is not within a conservation area.

g. The building will be used solely for the purposes incidental to the enjoyment of the dwelling house and garden.

The use of the building will be for garden and gym storage, exercise and the occasional outdoor dining related to the use of the garden itself and not directly to the main uses of the house.

Storage for garden furniture, tools, lawn mowers etc along with storage for gym and exercise equipment is incidental to the enjoyment of the dwelling house and garden and are not typically uses that would be included with the cartilage of the dwelling house itself.

These uses are in accordance to the policy guidelines incidental to the enjoyment of the dwelling house and garden as set out in the policy guideline for Permitted Development of buildings under Class E.

8. Conclusion

The new garden pavilion satisfies the policy guidelines within a Permitted Development for such garden structures. The use is for reasonably “incidental purposes for the enjoyment of the host dwelling house” and is compatible with the natural use and requirements of a modern family garden.

The pavilion will not contain any use that will be considered as primary living accommodation and is to be used for storage of garden equipment and a small gym to be used for exercise.

The garden pavilion is no more than 2.5 high at any point across the building. This complies with P.D.policy as the building is within 2m of the boundary.

Overall the proposal is an appropriate addition to the landscape gardens of a large family dwelling house and sits within the requirements of Permitted Development as set out within Schedule 2, Part 1, Class E, paragraph 4 of the General Development Permitted Order (GDPO) 2015.