

Planning Services
Hillingdon Borough Council
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High Street
Uxbridge
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Our Ref: 20032-REP-002A
Date: 15 December 2020

Dear Sir/Madam,

Application for Lawful Development Certificate for Proposed Use or Development (as governed by the following legislation)

- **Town and Country Planning Act 1990: Section 192 (as amended by section 10 of the planning and compensation act 1991)**
- **Town and Country Planning (Development Management Procedure) Order 2015**
- **Town and Country Planning (General Permitted Development) Order 2015**

Applicants: Mr and Mrs Shah

Proposal: Proposed development within the curtilage of a dwellinghouse at 17 Woodgate Crescent, Northwood, Middlesex HA6 3RB, for a purpose incidental to the enjoyment of the dwelling house.

This letter accompanies an application for a Lawful Development Certificate in respect of a proposed development for use as a swimming pool, following the demolition of two existing outbuildings, located within the curtilage of the dwellinghouse at No. 17 Woodgate Crescent, Northwood HA6 3RB. Accompanying the application is a 1:1250 location plan with the application site identified in red, which should be read in conjunction with all other accompanying drawings identifying the existing (to be demolished) and proposed outbuilding as well as this supporting letter.

The application seeks confirmation that the proposed outbuilding identified on the drawings accompanying the application for a domestic outbuilding required for purposes incidental to the enjoyment of a dwellinghouse is permitted development under the provisions of Class E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015. The following information is provided to support the grounds of application and the reasons why a Lawful Development Certificate should be granted for the proposal.

1. Article 3(1) of the GDPO grants planning permission for classes of development set out in Schedule 2 to the Order. This includes Part 1, Class E(a) the provision (within the curtilage of a dwellinghouse) of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwelling house as such.
2. The proposed outbuilding would not conflict with any of the limitations prescribed in Schedule 2 Part 1 Class E of the General Permitted Development Order:
 - a. The development in this case falls outside of the exceptions in Sections E1, E2 and E3 of Class E.

- b. The proposed outbuilding will be 106sqm (GEA) and, following demolition of two existing outbuildings, will slightly increase the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) to 13% of the total area of the curtilage (excluding the ground area of the original dwelling house). Therefore, this will be well within the Permitted Development limitation of 50%. If other proposed outbuilding (submitted under separate application) is taken into account, then the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) will be 17% of the total area of the curtilage (excluding the ground area of the original dwelling house). Therefore, this will still be well within the Permitted Development limitation of 50%.
 - c. No part of the proposed outbuilding will be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.
 - d. The proposed outbuilding is a single storey.
 - e. The proposed outbuilding will comprise of dual pitched roofs with gable ends, and no part of the outbuilding will be located within 2m of the boundary of the curtilage of the dwellinghouse. The height of the proposed outbuilding will not exceed 4m measured from the highest ground level immediately adjacent the proposed outbuilding,
 - f. The height of the eaves of the proposed outbuilding will not exceed 2.5m measured from ground level at base of external wall.
 - g. The original dwellinghouse is not a listed building and the proposed outbuilding is not situated within the curtilage of any listed buildings.
 - h. The proposed outbuilding does not include a balcony, veranda, or raised platform.
 - i. No land within the curtilage of the dwellinghouse is article 2(3) land. Therefore, any part of the proposed outbuilding situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse should be permitted by Class E.
3. The size and scale of the proposed outbuilding is reasonably required for a purpose incidental to the enjoyment of the dwellinghouse. Class E makes specific mention of a swimming pool, and a steam room would not ordinarily be found within a dwellinghouse. Thus, these uses all fall squarely within a use that is incidental to the enjoyment of the dwelling. A shower, toilet, changing area and plant room are also shown in the plans and these are ancillary facilities to the swimming pool and steam room.
4. The size of the outbuilding is reasonably required to meet the specified incidental purpose and not for extraneous purposes.
5. The proposed outbuilding would occupy a footprint of 106 sqm GEA (Gross External Area), and 92 sqm GIA (Gross Internal Area). The size of the plant room is approximately the size required for a proposed pool of this size, subject to specialist consultation. It is important not to underestimate the size of the plant room at this stage as the space will be required for the necessary equipment, storage of pool chemicals, and to allow accessible space for servicing and maintenance. The size of the steam room provides comfortable space standards for a family of 3-4 members. The size of the changing room, when efficiently planned, provides space for a WC / washbasin / shower and changing bench. Further, a swimming pool by its very nature reasonably occupies a sizeable area of the footprint of the building. As shown in the drawings the pool itself will be relatively modest in size. It will not fill the area but will have a 1m wide walking area around the pool. There are wider areas near the steam room and changing room to allow for a couple of loungers and a seating area. The floorspace attributed to the proposed use as identified in the application is genuinely and reasonably required or necessary in order to accommodate that use. In comparison to the original building, the footprint of the building is not substantial.
6. A smaller structure would be impractical for the intended purpose. Whilst a swimming pool, steam room, changing room, WC shower and plant room of similar size could be accommodated within a smaller building, the proposal allows for some space to sit near the pool, adjacent to the water.

The building is not an unusually large area for a swimming pool and the space will be used solely in connection with the facility.

7. The proposed outbuilding is smaller than the original dwelling and will remain ancillary or subordinate to the main dwelling house. Further, the outbuilding will only take up a moderate proportion of the garden with a large size of the garden remaining. Given the size of the proposed outbuilding and size of the garden, the size and scale of the outbuilding will not be disproportionate, nor over-dominant, nor would it be excessive in size and scale for the stated purpose.
8. The existing site will be maintained as a single-family dwelling, and the proposed facility will be for family recreational use only. Therefore, the proposed use will not contribute to any additional visits, traffic, parked cars, or any form of nuisance to the current or future neighbouring occupiers.
9. Accordingly, the outbuilding is reasonably required for a purpose incidental to the enjoyment of the dwelling house as such to constitute permitted development under Class E.

I trust that the above clarifies the scope and nature of the proposed works and demonstrates that the development would fall within the scope of Class E of Part 1 of Schedule 2 of the General Permitted Development Order. We seek the Council's formal confirmation to this effect. Should you require any further information please do not hesitate to contact me.

Yours sincerely,



Wai Kwok