

Dear Hillingdon Planning Dept,

With respect to this permitted development application for a plant room we wanted to provide an additional supporting statement, which sets out the case law on the gap between outbuildings being sufficient for them to be considered separate structures. We sought the counsel of Martin Gaine, chartered town planner, to ensure our planned works comply with the governments technical guidelines on permitted development. This is provided below:

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Thank you for instructions to review the position in respect of having two outbuildings at 79 Deane Croft Road.

I have taken a look at the photographs and the information you have provided. I have spent some time reviewing similar appeal decisions.

As I understand it, the sole question is whether the gap between the two buildings is sufficient for them to be considered separate structures.

The overwhelming majority of appeal decisions relating to this issue have concluded that there is no minimum size required for the gap between two structures - as long as they are physically separate, they should be considered separate buildings.

Appeal 3280145. The inspector allowed 2 smaller outbuildings to be built next to an existing outbuilding of much higher height under the Governments Technical Guidance for permitted development. The inspector states that the gap of 50mm between the main outbuilding and each of the subsequent smaller outbuildings would be sufficient to regard them as separate structures.

Appeal 3260977 The council viewed 2 outbuildings (one a storage shed and one a private gym) to be in close proximity to the rear of the dwelling house extension. The council viewed the 50mm gap as not significant and therefore an extension of the dwelling. The Inspector allowed it again stating the Govt Technical Guidance for Permitted Development and no requirement for a minimum gap or significant gap. He states the buildings are separated by a gap albeit a small gap. As such he states the structures are separate and allowed under permitted development. The Inspector goes on to state that the Technical Guidance permits a large range of other outbuildings that can include garden sheds, other storage buildings or garages. He also states that in appeals that have been rejected it is because the outbuildings can be used and accessed through the rear wall of the main dwelling house and therefore are regarded as an extension of the dwelling house.

Appeal 3261594 The council viewed an extension to the dwelling house and an outbuilding to be considered as one development and in too close proximity to the dwelling house. However, the Inspector allowed it stating that however small the gap may be, the gap of 200mm was satisfactory between the extension and the outbuilding to satisfy that this was not part of the extension and therefore is allowed under the Govt Technical Guidance for permitted development.

The two outbuildings will be visually and functionally separate structures. They will be different sizes and of different designs. It will not be possible to move from within one to the other. Since the proposed plant room is modest in size and low in height, it is unlikely that it will cause any material harm in planning terms. It should be considered lawful under permitted development guidelines.

Sincerely

Martin

Martin Gaine MA (Oxf), MSc (R'dg), MRTPI
Chartered Town Planner

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We would like to confirm that our 2 outbuildings are not near our dwelling house, they themselves are not dwelling houses and neither outbuilding can be accessed by the rear wall of the other. They both serve different purposes. The gap between these buildings is 400mm, more than the examples provided by Martin. In the above cases the Inspectors have allowed any gap size to regard them as separate class E structures and appellants have been awarded permitted development certificate of lawfulness.

We therefore ask you to consider both the Government's Technical guidelines, which makes no reference to a minimum gap between two outbuildings and the appeals attached, when making your decision.

Kind regards