Supporting Planning Statement:
Retrospective Planning Application for the Retention of Two Timber Garden Buildings for use as a Summerhouse and Covered Seating Area



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78 Dudley Road,
Harold Hill,
Romford RM3 8LL

For and on behalf of Zana Vorobjova
Hutton Enterprises
November 2026

Supporting Statement

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Summerhouse and Covered Seating Area
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1. Introduction:

1.1 This Planning Statement has been prepared in support of a retrospective planning application which seeks planning permission for the retention of two timber garden buildings within the rear garden area associated with the first-floor flat of 78 Dudley Road, Harold Hill, Romford.

1.2 The main building comprises a summerhouse incorporating a covered porch with an overall footprint measuring 5.090m x 3.26m. It features a gently sloping mono-pitched felt roof with a maximum overall height of 2.55m reducing down to 2.35m. The second building comprises a covered seating area measuring 2.85m x 3.66m and also incorporates a mono-pitched roof with an overall height of 2.5m reducing down to 2.35m

1.3 The buildings provide ancillary recreational facilities for the occupiers of the flat and any invited guests. The larger building is used as a summerhouse and occasional home office, providing a quiet and convenient working environment associated with applicant's normal residential activities. The smaller building is used as a covered seating area providing additional private leisure space associated with the residential occupation of the property. The buildings have been in place for just over three years.

1.4 The application follows contact from Havering Council arising from a neighbour's complaint which included an allegation that the summerhouse and covered seating area were being used together as a self-contained flat.

1.5 The applicant recognises at the time the building was inspected by the Council's Enforcement Officer 29th September, that a bed and mattress were positioned within the summerhouse. The Officer will doubtless recall that the applicant explained at the time that this was because there was no space within the flat to store the bed whilst pointing out that the bed was not in use and had no sheets or pillows.

1.6 Nonetheless, the applicant accepts that the existence of the bed within the summerhouse could well have given the Enforcement Officer the impression that some form residential use of the building was taking place, despite there being no toilet or any cooking facilities within the building.

1.7 The bed has since been disposed of and the applicant wishes to make clear that the summerhouse is not and never has been intended for use as a

separate residential unit. Any occasional use as a home office is entirely incidental to and associated with the residential occupation of the existing first floor flat.

1.7 The applicant is not therefore seeking planning permission for any form of change of use. The application should therefore be determined on its planning merits with particular consideration being given to the scale and appearance of the buildings within the rear garden, their relationship to adjoining residential accommodation, and the potential effects of their continued ancillary use on neighbouring residential amenity.

2. Site and Surrounding Area:

2.1 The application site comprises a first floor flat located within a two-storey terraced block of eight purpose-built flats on the south side of Dudley Road. Dudley Road itself is a residential street comprising a mix of mainly two storey traditional semi-detached and terraced housing interspersed by a several blocks of purpose built, two storey flats.

2.2 To the east, No.80 is an end of terraced two storey property located within a block of 4 dwellings, each with generously proportioned rear garden areas.

2.3 To the west of the subject block there are two additional blocks of similarly designed flats whilst to the south, fronting Cricklade Avenue, there are semi-detached and terraced two storey houses all of which benefit from good sized rear gardens.

2.3 Dudley Road is not within a conservation area or other area of special control.

2.4 In common with the flats nearby, the rear garden areas of this block are divided into two generously proportioned individual plots with the closest being used by the ground floor occupant and the furthest for use by the first-floor occupier with separate access via a pathway.

2.5 It is within this furthest plot that the outbuildings the subject of this retrospective application are located.

2.6 There is no significant change in ground level in the immediate locality of the site and no trees of amenity value are affected by these proposals.

2.7 In the context of this application, it is important to note from inspection of the site and reference to aerial photography that there are numerous outbuildings of varying design and size located in the rear garden areas of nearby adjoining properties.

2.8 It is respectfully submitted that these structures form a characteristic feature of the rear garden environment within which the application site is located and that this constitutes a material planning consideration.

3. Description of the Development:

3.1 This application seeks retrospective planning permission for the retention of two existing timber garden buildings. Explicitly, no change of use to form self-contained accommodation is proposed.

3.2 Both buildings are to be used as ancillary accommodation and for recreational purposes in connection with the first-floor flat No.78. Access to the buildings can only be obtained via the existing private footway solely by the occupiers of the flat and any invited guests.

3.3 Their function is solely to supplement the leisure and recreational facilities available for occupiers of the existing first floor flat and as is evident from the attached photographs, there is no toilet, kitchen or bedroom space.

3.3 A smaller, third timber garden shed exists within the plot and as can be seen in the photograph below is in a poor state of repair. It is intended that this building will be removed in the near future.

3.4 The application seeks retrospective planning permission for the two buildings as they presently exist, subject to any reasonable and necessary planning conditions considered appropriate by the Council.



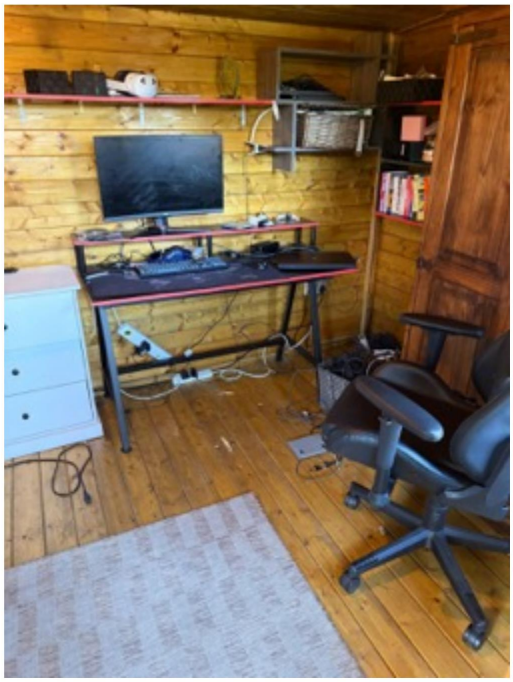
Covered seating area (smaller building to be removed



Existing Summerhouse

3.5 The summerhouse has no toilet or bedroom facilities and is used for domestic storage, recreational purposes and as an occasional home office.

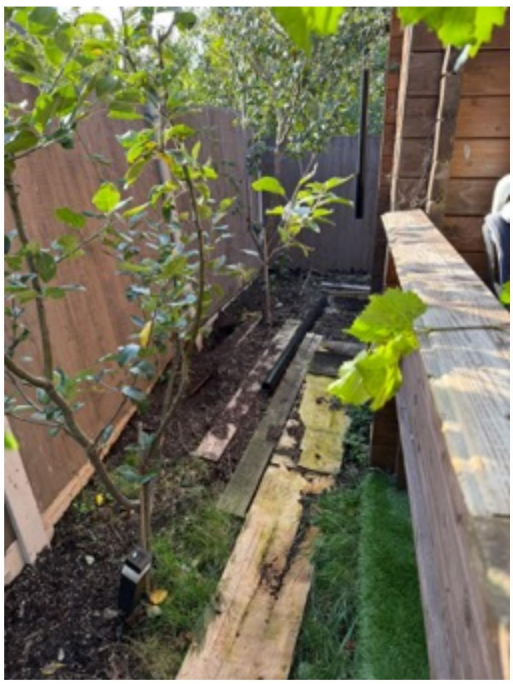
3.6 The covered seating area is similarly used for recreational purposes when weather permits.





Internal pictures of summerhouse

3.7 The buildings have been in position for over 3 years as evidenced by aerial photography, planting and general weathering.





Fruit planting along boundary and grass

4. Principle of Development:

4.1 The provision of ancillary buildings within residential gardens areas is generally deemed to be acceptable, provided that the particular development respects the character of the area and does not cause unacceptable harm to neighbouring residential amenity.

4.2 This principle is enshrined within general permitted development rights when applied to householders within single family traditional dwellings. Even then, by imposing certain specific limitations, planning legislation attempts to balance the rights of neighbours to protect their outlook and amenity with the rights of applicants to alter and extend their property.

4.3 In this case, planning permission is required as flats do not benefit from permitted development rights. However, this does not preclude the local planning authority from granting planning permission for development if they are satisfied that a reasonable balance is achieved and that the development does not unreasonably impact upon the character of the area or the amenity of neighbouring occupiers.

4.4 The two buildings provide additional functionality and recreational facilities for the existing first floor flat. Their purpose is solely to enable the applicant to make better use of her garden for leisure and domestic activities, in the same general manner as other domestic garden facilities.

4.5 Whilst the amenity area for No.78 is somewhat separated from the main building by the garden area serving the ground floor flat, it is generous in size and shape and easily accessible for use by the first-floor occupier.

4.6 The importance of these qualities is recognised variously within planning policy including in particular the Havering Local Plan para 7.5.6 which states:

> "*The fundamental design considerations for amenity space are its quality and usability".*

4.7 It is respectfully submitted that that the retention of summerhouse and the covered seating area will continue to enhance the quality and usability of the amenity area for the applicant throughout the year and not just the summer months.

4.8 The applicant therefore considers that the development is acceptable in principle as ancillary residential accommodation, subject to the detailed assessment of its physical characteristics and effects on neighbouring properties as discussed below.

5. Design, Scale and Character:

Design

5.1 The buildings have been in position for over 3 years and have "settled" into their environment comfortably, aided by a degree of weathering, screen fencing and established planting nearby.

5.2 Their timber construction is consistent with the type of material commonly used for garden buildings and their appearance is unobtrusive.



First floor view of outbuildings from No.78

Scale

5.3 The aerial photograph below clearly shows the generous garden size and setting of the proposed buildings within the rear garden environment surrounding the site.



Aerial view of outbuildings

5.4 The photograph shows the summerhouse to be well removed from both boundaries and whilst the larger of the two subject buildings, it is smaller than some nearby neighbouring structures.

5.5 The smaller, covered seating area is positioned closer to the boundary but directly adjoins a much larger building located to the south in the rear garden area of No.37 Cricklade Avenue.

5.6 In all, the buildings sit comfortably within the garden plot and give rise to no sense of cramping, excessive height or size. It is respectfully submitted that the buildings are in scale with both the plot itself and its surroundings.

6. Residential Amenity:

6.1 The applicant recognises that the protection of neighbouring residential amenity is an important consideration, particularly given that the applicant was contacted by the Council following a complaint.

6.2 The buildings have been in position for slightly over 3 years and to the applicant's knowledge have not previously given rise to any complaints from surrounding residents in that time.

6.3 As detailed in the introduction, the site was inspected by the Council's Enforcement Officer on the 29th September. This was followed up by the Enforcement Officer in their email 13th October describing the summerhouse as being '*fully enclosed and consisting of living amenities'.* The officer went on to describe the covered seating area as an being an *'open bar'*

6.4 It is respectfully suggested that these words misrepresent the actual situation on site for the reasons set out in paras 1.6 and 1.7 above.

6.5 The applicant wishes to work constructively with the Council to ensure that the continued use of the buildings remains compatible with the surrounding residential environment. In this respect, the summerhouse is not being used residentially and a planning condition or an appropriately worded informative making clear that any self-contained residential use of the buildings would require planning permission and that such permission is unlikely to be forthcoming would be entirely acceptable.

Noise and disturbance

6.6 The fact that the buildings are privately used does not remove the need to consider the effects of those activities on neighbouring occupiers. In this respect, the applicant acknowledges the possibility that noise could sometimes have arisen in the past from conversations or any occasional social gathering.

6.7 However, so far as the applicant is aware there have been no complaints have been received in the 3 years or so the buildings have been in position and the applicant will continue to be respectful of neighbouring amenity for the future.

6.8 From the planning perspective, use of a garden building for private entertaining is not, in itself, incompatible with a residential area. The relevant consideration is whether the nature, frequency, duration and intensity of the activities give rise to an unacceptable level of disturbance.

6.9 In this respect, the applicant will continue to take reasonable steps to minimise potential disturbance, including:

- Avoiding the use of amplified music at levels that could cause unreasonable disturbance to neighbouring properties.
- Taking particular care to minimise noise during the evening.
- Ensuring that any social gathering remains respectful of neighbouring amenity.
- Cooperating with the Council should any specific and reasonable measures be identified as necessary to protect residential amenity.

6.10 When describing the covered seating area as an “open bar” the Enforcement Officer seems to be implying a more intensive and even potential use of this area by the public. This is simply not the case and again the applicant would welcome consideration of a suitably worded planning condition, if required, to secure an appropriate form of ancillary residential use and address any identified planning harm.

Privacy and overlooking

6.11 It is noted that the garden area within which the subject buildings are located is presently overlooked by nearby first floor flats fronting Dudley Road and by two storey houses fronting Cricklade Avenue.

6.12 The buildings are located within the rear garden and well screened by existing fencing and vegetation. They are well removed from the nearest residential accommodation.

6.13 In the context of its surroundings, it is respectfully submitted that the buildings give rise to no significant increase in overlooking or potential loss of privacy to neighbouring properties over and above that which may be reasonably expected from the normal use of the garden area by occupiers.

Outlook, daylight and sunlight

6.14 The potential impact upon neighbouring outlook and light depends on the height and bulk of the buildings, their proximity to adjoining boundaries and their relationship with neighbouring windows and garden areas.

6.15 In this case, both buildings have a maximum height of 2.5m and in relation to the summerhouse is well removed from its boundaries. The covered seating area though closer to the boundary immediately adjoins a larger building located in the rear garden area of No.37 Cricklade Avenue thus causing no harm to this property.

6.16 Taking account of the site circumstances and the particular relationship to adjoining properties, it is submitted that there is no loss of light or significant harm to neighbouring outlook. The existence of these buildings on site for over 3 years seems to support this view.

7. Planning Policies:

7.1 The relevant policy framework includes the Havering Local Plan 2016–2031, the applicable London Plan policies and the National Planning Policy Framework.

7.2 The principal considerations are design, local character, residential amenity and the appropriate relationship between ancillary development and the existing residential use.

Havering Local Plan

7.3 It is suggested that Policy 7 of the Local Plan provides the main framework for which this application is to be assessed stating:

> *"Residential development should be of a high design quality that is inclusive and provides an attractive, safe and accessible living environment for new residents whilst ensuring that the amenity and quality of life of existing and future residents is not adversely impacted".*

7.4 The applicant recognises that the Council must assess whether the combined footprint and height of the buildings are appropriate within the rear garden and also acknowledges the importance of ensuring that the use of the buildings does not result in unacceptable noise or disturbance.

7.5 As demonstrated by the above submissions, the proposals meet these criteria and are acceptable on their merits.

London Plan

7.6 London Plan Policy D3 promotes a design-led approach to development, taking account of context, design quality and the relationship between development and its surroundings.

7.7 The applicant considers that the development should be assessed as ancillary garden accommodation, recognising that the scale and cumulative effect of the two buildings are material considerations rather than the unfounded alleged use of the buildings as a self-contained flat.

National Planning Policy Framework

7.8 National Planning Policy Framework supports well-designed development that responds appropriately to its surroundings and contributes to places that function well.

7.9 The applicant respectfully submits that the retention of the buildings will not cause demonstrable harm to local character or neighbouring residential amenity.

11. Conclusion:

11.1 This application seeks retrospective planning permission for the retention of two timber garden buildings within the rear garden associated with the first-floor flat at 78 Dudley Road, Harold Hill, Romford.

11.2 The buildings have been present on site for approximately three years without complaint until recently. They are used exclusively by the occupiers of the flat and provide ancillary recreational facilities in the form of a summerhouse and covered seating area. Specifically, they are not intended to operate as a commercial bar or public entertainment venue.

11.3 The buildings are of timber construction and are appropriate both in scale and general appearance to adjoining garden areas and more widely, the surrounding rear garden environment

11.4 The buildings do not result in loss of privacy, outlook or other loss of amenity to neighbouring occupiers.

11.5 The Council is therefore respectfully requested to grant retrospective planning permission for the retention of the two timber garden buildings, subject to any necessary and reasonable planning conditions.