170 Westbury Avenue, Wood Green, London N22 6RU

Planning Statement in Support of a Householder Planning Application

Erection of a single-storey detached garden room

Prepared by Studio Seventi Architecture Ltd on behalf of Mr Gawain Ng

30 September 2026

Cross-refers to drawings P-01E to P-04E

1. Introduction and Purpose of this Statement

This statement is submitted in support of a householder planning application by Mr Gawain Ng for the erection of a single-storey detached garden room in the rear garden of 170 Westbury Avenue, Wood Green, London N22 6RU ("the site").

The application follows the refusal, on 26 August 2026, of an application for a certificate of lawful development for the same structure under section 192 of the Town and Country Planning Act 1990 (Local Planning Authority reference HGY/2026/1556). This statement explains that background, sets out the functional and equality-related need for the proposal, describes the internal layout now included with the revised drawings, and assesses the proposal against relevant development plan policy.

2. Site, Proposal History and the Certificate of Lawfulness Refusal

170 Westbury Avenue is a two-bedroom dwelling formed through the vertical subdivision of the original property at No. 172, including the conversion of former garage space into residential accommodation. The dwelling provides a total internal floor area of approximately 600 sq ft (55.7 sq m) and is occupied by a family of four, including two young sons with autism.

An application was made under section 192 of the Town and Country Planning Act 1990 for a certificate confirming that the erection of a garden room in the rear garden would constitute permitted development under Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Local Planning Authority's officer report confirmed that the proposal met every dimensional requirement of Class E — footprint, height, siting and eaves height all complied — but refused the certificate on the sole basis that the building's scale relative to the host dwelling meant it could not be regarded as "required for a purpose incidental to the enjoyment of the dwellinghouse." The refusal reasons stated:

> *"...on the balance of probabilities, the proposed outbuilding is of such a scale relative to the host dwellinghouse, a small two-bedroom unit formed through the subdivision of No. 172, that it cannot reasonably be regarded as required for purposes incidental to the enjoyment of the dwellinghouse."*

A certificate of lawful development is a legal determination of fact and degree; it is well established that the personal circumstances of the occupiers — including disability-related need — cannot be taken into account in that process, and were not raised in the refused application. A householder planning application is a different exercise, decided on planning merits, in which such circumstances are properly and legitimately material. This application, and this statement, therefore address the functional need for the building directly, in a way the certificate of lawfulness process could not accommodate.

3. The Proposal

The application proposes a single-storey detached garden room in the rear garden, set away from the boundary and not forward of the principal elevation, of brick construction with a flat roof, glazed doors to the rear elevation and roof windows providing natural light to the interior. The existing curtilage (rear garden) area is 112.6 sq m.

The garden room has a gross floor area of 50 sq m — the same footprint considered, and refused on grounds of scale, under the certificate of lawfulness process. No reduction in floor area is proposed. Rather than seeking to argue for a smaller building, the applicant instead makes the case for this scale directly: through the functional and equality-related need set out in Section 4 below, and through the detailed, purpose-designed internal layout set out in Section 5, neither of which the certificate of lawfulness process was capable of taking into account.

Unlike the refused certificate of lawfulness application, this application is accompanied by a detailed internal layout (drawing P-02E), dividing the garden room into four distinct, purpose-designed zones. This is addressed in Section 5 below, and is central to the case that the building is proportionate to, and required by, the genuine needs of the household.

4. Functional Need and Statutory Context

4.1 The existing dwelling and overcrowding

The dwelling provides approximately 600 sq ft (55.7 sq m) of internal floor area for a household of four. The Nationally Described Space Standard (Department for Communities and Local Government, March 2015) sets a minimum gross internal floor area of **79 sq m** for a two-bedroom, four-person, two-storey dwelling. The existing dwelling therefore falls approximately 30% below the national minimum for a household of this composition, before any account is taken of the additional space the family's circumstances require. This is a quantifiable, policy-recognised shortfall, not merely a subjective claim of a cramped home.

4.2 Autism, sensory need, and the Equality Act 2010

The applicant's two sons are autistic. Autism is a lifelong neurodevelopmental condition which, where diagnosed, will ordinarily meet the definition of disability in section 6 of the Equality Act 2010 (a physical or mental impairment having a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities).

Sensory processing differences are a well-documented feature of autism. Population-based surveillance data published in *Autism Research* (Kirby et al., 2022, drawing on the CDC's Autism and Developmental Disabilities Monitoring Network) found that 74.0% of autistic children in the study sample had documented sensory features. For a child with pronounced sensory sensitivities, an undifferentiated, shared domestic environment — particularly one already below national space standards — can readily produce sensory and cognitive overload; a calm, predictable, purpose-zoned environment is correspondingly recognised as supporting emotional regulation and behavioural stability.

As the Local Planning Authority exercising a public function, the Council is subject to the public sector equality duty under section 149 of the Equality Act 2010, requiring it to have due regard to the need to eliminate discrimination and to advance equality of opportunity for disabled people in reaching its decision on this application. This does not dictate a particular outcome, but it does require the children's needs to be treated as a genuine and weighted material consideration. The right to respect for private and family life and the home under Article 8 of the European Convention on Human Rights, given effect through the Human Rights Act 1998, is also engaged by a decision materially affecting this family's ability to meet their children's needs within their home.

The overcrowding identified in Section 4.1 and the children's sensory needs are not separate issues but compound one another: the more constrained the home, the less capacity there is to provide the separation, predictability and sensory control the children require, and the more the household is dependent on shared living space that is ill-suited to that purpose. The garden room is proposed as additional space, physically separate from the constrained interior of the main house, to meet a need the existing dwelling cannot accommodate.

Both children's diagnoses are confirmed by hospital letters held by the applicant's agent; the position on making this evidence available to the Council, while protecting the children's privacy, is set out in the note on the appendix at the end of this statement.

5. Internal Layout: The Four Zones

The revised drawings (P-02E) set out a detailed internal layout, developed with reference to established practice in autism-specific environmental design. Rather than an undifferentiated single room, the space is organised into four zones with distinct functions, flooring, and light and acoustic conditions, separated by low shelving and changes in floor finish rather than by open-plan blending. This zoning is itself a recognised regulation strategy: predictable, clearly bounded spaces reduce anxiety and support a child's ability to self-regulate, and the arrangement set out below reflects consistent design principles — clear sightlines from a single supervision point to every zone, an unobstructed path back to the exit at all times, and light/acoustic separation between the calmest and the most stimulating parts of the room.

Zone 1: Retreat

Located in the corner of the room farthest from both the garden doors and the window — the only part of the room without glazing on either side, and therefore the dimmest and quietest without any additional acoustic or lighting treatment. This zone accommodates a den or tent, floor cushions and a weighted blanket. Positioning it as a genuine dead end, rather than on a route between other zones, allows a child to withdraw and disengage without being passed by others moving through the room — a distinction that matters more for an autism-specific layout than for a general playroom.

Zone 2: Regulate

The main run of open floor between the retreat corner and the doors, providing space for a crash mat, a ball pit and a ceiling-mounted swing. A low shelf unit along its open edge marks the boundary into the Activity zone, giving the room a clear, low-height visual division that a child can read without needing a verbal instruction. Soft rubber or foam flooring is proposed for this zone and for the Retreat zone, appropriate to the physical, proprioceptive nature of the activities carried out here.

Zone 3: Threshold

A shallow strip immediately inside the glazed doors — the brightest and most visually stimulating part of the room by virtue of its position, and therefore treated as a deliberately sparse transition space rather than a zone for occupation. It contains only a bench for shoes and coats. Nothing in this area invites lingering or climbing near the doors. This buffer between the outside world and the room's more stimulating zones supports regulated entry and exit, and keeps an unobstructed path to the door available at all times.

Zone 4: Activity

A shallower bay to the side of the room, by the window, already differentiated from the main space by a step in the wall line. This zone accommodates art and messy play on easy-clean flooring, with a small reading table in the window corner providing a calmer, supervised alternative to the Retreat den for a child who wants quiet occupation without full withdrawal.

6. Boundary Treatment and Relationship to Neighbouring Gardens

The rear garden is enclosed along both of its long boundaries and shares those boundaries with neighbouring gardens on each side. The existing boundary treatment, shown on drawings E-02 and P-02E, comprises close-boarded timber fencing ranging from approximately 1.0m in height nearest the house to approximately 1.5m–2.0m along the greater part of its length, together with an

existing masonry wall of between 1.55m and 2.1m forming the rear boundary. A mature tree (trunk diameter approximately 460mm, canopy spread approximately 10m) stands beyond the rear boundary and provides further screening. This boundary enclosure and landscaping pre-date the application and are unaffected by the proposal.

The garden room is single storey throughout, with an overall height of approximately 2.75m to the side elevations and 2.82m to the front and rear elevations — well below the height of the boundary fencing, wall and tree canopy referred to above. Fenestration has been kept deliberately limited and, so far as possible, one-directional: the elevation facing away from the dwelling, toward the rear boundary and neighbouring gardens beyond it, is blank brickwork with no windows; of the two side elevations, one contains a single casement window and the other none; and the principal source of natural light to the interior is roof lights (1000mm x 1000mm), rather than side-facing glazing that would look directly into neighbouring gardens. The only elevation with substantial glazing is that facing back toward the host dwelling, serving the Threshold zone described in Section 5, which faces away from both neighbouring gardens.

On this basis, the proposal is not considered to give rise to material harm to the privacy or outlook of neighbouring occupiers through overlooking, nor, given its single-storey form and height relative to the existing boundary treatment, to material harm through overshadowing or loss of light. The garden room occupies approximately 50 sq m of the 112.6 sq m curtilage, leaving the remaining area — including the existing patio adjoining the dwelling shown on drawing P-01E — as usable, unbuilt garden and amenity space.

7. Planning Policy Assessment

Local Plan Policy DM12 (Housing Design and Quality) requires extensions and ancillary structures to be of high, site-specific design quality and to respect the character of the host building and surrounding area. The garden room is single storey, set within the existing rear garden, does not extend forward of the principal elevation, and is finished in brick to complement the host dwelling. While its footprint is substantial relative to a garden of this size, the functional case set out in Section 4 — a quantifiable space shortfall in the host dwelling combined with a specific, disability-related need that ordinary domestic space cannot meet — together with the absence of material amenity harm set out in Section 6, provides the justification the policy's design-led, case-by-case approach allows for.

To address the Council's earlier concern that the building could function as independent living accommodation rather than space incidental to the enjoyment of the dwelling, it is confirmed that the garden room contains no kitchen, bathroom or bedroom facilities, and is not laid out or serviced in a manner that would support independent residential occupation. The applicant would accept a planning condition restricting the use of the building to purposes incidental to the enjoyment of the main dwelling, and preventing its use as a separate or self-contained unit of residential accommodation without further planning permission.

8. Conclusion

This application responds directly to the basis of the Council's earlier refusal by placing before the Council, for the first time, the functional and equality-related justification for the scale of the proposed garden room — justification which a certificate of lawful development could not, as a matter of law, take into account. Read together with the detailed internal layout now provided, the proposal represents a carefully considered, needs-led response to a quantifiable shortfall in the host dwelling's living space, for a family whose circumstances the Council is required to give due regard to under section 149 of the Equality Act 2010. On this basis, it is respectfully submitted that planning permission should be granted.

Note on the Appendix

Supporting medical evidence exists in the form of hospital letters confirming each child's autism diagnosis, held by the applicant's agent. This evidence is not included as part of this planning report or its appendices. Given that planning application documents, including supporting appendices, are published in full on the Council's public online planning register, the applicant does not consider it appropriate to place identifiable medical evidence relating to two minors into the public domain as a matter of course. The applicant is willing to make this evidence available to the case officer on request, subject to the Council confirming an appropriate mechanism for handling it that protects the children's privacy — for example, by withholding it from publication on the public register.