



PROPOSED OUTBUILDING

AT

**1 GRANGE COTTAGES, BROADCOMMON
ROAD, HURST RG10 0RD**

CERTIFICATE OF LAWFULNESS PLANNING STATEMENT

AM2 Planning
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1. Introduction

- 1.1 This Statement is submitted in support of an application for a Certificate of Lawful Use relating to a proposed outbuilding in the residential curtilage of 1 Grange Cottages, Broadcommon Road, Hurst.
- 1.2 For reasons set out within this Statement it is considered that the proposed building adheres with the relevant requirements of the Town & Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class E and is therefore permitted development, and a Certificate of Lawfulness should be issued accordingly.
- 1.3 The proposed outbuilding is a single storey, pitched roof structure to a ridge height of 3.8m, with a footprint of 4.7m x 9.6m to be sited approximately 20m to the side of the end of terrace dwelling. The building is to be used as a sun lounge / sauna / shower / home office for the residents of 1 Grange Cottages.
- 1.4 The elevations of the proposed structure will consist of timber boarding and glazed elements, as illustrated on the accompanying plans. Solar panels will be introduced to the roof slopes.

2. Assessment

- 2.1 The proposed outbuilding needs to be assessed against the criteria of the Town & Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class E. Such criteria are set out below, with commentary on proposed outbuilding against the individual criteria in turn.

E.1 *Development is not permitted by Class E if—*

*(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class **[F1G,]** M, **[F2MA,]** N, P **[F3, PA]** or Q of Part 3 of this Schedule (changes of use);*

- 2.2 The dwellinghouse at 1 Grange Cottages has not been granted by virtue of any of the above Classes.

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

- 2.3 As is apparent from the submitted block plan and existing topo plan, the curtilage of the property at 1 Grange Cottages covers a large area. There are a few existing sheds and smaller structures at the rear of the garden, but the total area of buildings, enclosures and containers will fall considerably below 50% of the area of the curtilage if the proposed outbuilding is introduced.

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

- 2.4 The principal elevation of the original dwellinghouse is set back approximately 9m from the front boundary of the property, which runs largely parallel with the front building line of the house. The closest part of the proposed outbuilding will be set back approximately 10m from the front boundary of the property. As a result, and as is apparent from the accompanying 'Existing Topo Plan with new Building', the proposed outbuilding will not be on land forward of the principal elevation of the original dwelling.

(d) the building would have more than a single storey;

2.5 The proposed building does not have more than a single storey.

(e) the height of the building, enclosure or container would exceed—

(i) 4 metres in the case of a building with a dual-pitched roof,

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case;

2.6 The proposed building has a dual-pitched roof and is 3.8m at its ridge, so does not exceed 4m in height.

(f) the height of the eaves of the building would exceed 2.5 metres;

2.7 As illustrated on the accompanying drawings, the height of the eaves of the building will be 2.35m above ground level, so will not exceed the 2.5m referred to.

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;

2.8 The house at 1 Grange Cottages is not a listed building

(h) it would include the construction or provision of a verandah, balcony or raised platform;

2.9 The proposed building does not incorporate a verandah, balcony or raised platform.

(i) it relates to a dwelling or a microwave antenna;

2.10 The proposed outbuilding does not relate to a dwelling or microwave antenna

*(j) the capacity of the container would exceed 3,500 litres **[F5; or]***

2.11 *The proposal does not relate to a container*

(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

2.12 The house at 1 Grange Cottages has not been built under Part 20 the Schedule.

3. Conclusion

- 3.1 This Statement has explained why the proposed outbuilding adheres with all of the criteria set out at the Town & Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class E, which relates to the introduction of outbuildings within the curtilage of a dwellinghouse.
- 3.2 It has therefore been shown that the proposed outbuilding is permitted development, and it is respectfully requested that the Council issue a Certificate of Lawfulness accordingly.