

Demolition of existing sheds & greenhouse and replacement with double tandem garage with utility space via Permitted Development rights statement at Carol Dene, Ash Mount, Shafton, Barnsley, S72 8NU

Introduction

This statement has been prepared on behalf of the clients, Peter & Carol Agnew, and sets out the justification of the demolition of the existing sheds and greenhouse and replacement with the proposed double tandem garage and why the other building (garage) falls within the existing permitted development rights of the property with reference to MHCLG's "Permitted development rights for householders Technical Guidance".

This statement accompanies the application for a Lawful Development Certificate to confirm the extension is within the permitted rights of the property.

Permitted Development Rules Review

As referenced from MHCLG's "Permitted development rights for householders Technical Guidance" Class E the following constraints apply:

- *This provides permitted development rights within the curtilage of a house for; Any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure. As designed, the other building (garage) will provide more secure storage incidental to the dwellinghouse. In addition to this it provides a utility room space for the siting of washing facilities (washer, drier, clothes airer, etc) as well as an outdoor toilet to be accessed whilst the client tends their large garden. The client has mobility issues and the external toilet allows more immediate access rather than traversing the level difference into the property and to the existing facilities.*
- *Development is not permitted by Class E if –*
 - *Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use). The property was originally designed as a dwellinghouse and was not granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use).*
 - *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) As designed, the other buildings will not exceed this.*

- 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. As designed, the other building (garage) will be located approximate halfway between the front principle elevation and the rear elevation of the existing dwellinghouse.
- The building would have more than a single storey. As designed, the other building (garage) will be single storey
- The height of the building, enclosure or container would exceed - 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse. As designed, the other building (garage) will be 2.030m above the dwelling houses existing FFL and 2.5m above the local site level.
- The height of the eaves of the building would exceed 2.5 metres. As designed, the other building (garage) eaves will be 2.280m above the local site level.
- Where the extension comes within two metres of the boundary* the height at the eaves cannot exceed three metres. As designed, the extension will come within this proximity of the boundary, but as per the previous statement are set at the same level as the existing eaves, 2.050m (above FFL).
- The building, enclosure, pool or container would be situated within the curtilage of a listed building. As designed, the other building (garage) is not within the curtilage of a listed building.
- It would include the construction or provision of a verandah, balcony or raised platform. As designed, the other building (garage) does not include a verandah, balcony or raised platform.
- In the case of any land within the curtilage of the dwellinghouse which is within - (a) a World Heritage Site, (b) a National Park, (c) an area of outstanding natural beauty or (d) the Broads, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres. As designed, the other building (garage) is not within the curtilage of a) a World Heritage Site, (b) a National Park, (c) an area of outstanding natural beauty or (d) the Broads

Conclusion

Therefore, it is my opinion the proposed other building (garage) falls within the existing permitted development rights of the property.