

Garage Erection via Permitted Development rights statement at 17 Westfield Ave, Thurlstone, S36 9RL

Introduction

This statement has been prepared on behalf of the client, Mr Nick Bennett, and sets out the justification of the erection of a double garage on the existing rear garden and why the erection falls within the existing permitted development rights of the property with reference to MHCLG's "Permitted development rights for householders Technical Guidance".

Permitted Development Rules Review

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

- *This provides permitted development rights within the curtilage of a house for:*
 - (a) *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; or As designed, the garage will be incidental to the enjoyment of the dwellinghouse for the storage & maintenance of the applicant's classic cars.*
 - (b) *a container used for domestic heating purposes for the storage of oil or liquid petroleum gas. Not applicable.*
- *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 M, N, P, PA or Q of Part 3 of this Schedule (change of use). As created the dwelling was not granted as a result of any of the above classes to the best of the knowledge of the applicant.*
 - 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). As designed, the existing historic additions to the original property (front porch & small single storey rear extension) and the proposed garage will cover 23.9% of the curtilage.*
 - (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. As designed, the garage will sit on land behind the wall forming the principle elevation of the original dwelling house.*

(d) the building would have more than a single storey. As designed, the garage will be 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, As designed, the garage will be 2.5m at maximum height.

(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. As designed, the garage will be 2.5m at maximum height.

(iii) 3 metres in any other case. As designed, the garage will be 2.5m at maximum height.

(f) the height of the eaves of the building would exceed 2.5 metres. As designed, the garage's eaves will be 2.2m.

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building. As designed, the garage or application area is not within the curtilage of a listed building.

(h) it would include the construction or provision of a verandah, balcony or raised platform. As designed, the application does not include any of the above items.

(i) it relates to a dwelling or a microwave antenna. As designed, the application does not relate to a dwelling or microwave antenna.

(j) the capacity of the container would exceed 3,500 litres. As designed, the application does not include any containers.

- E.2 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 garage or application area is not within the curtilage of a dwelling house within any of the above listed areas.

- E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse. As designed, the garage or application area is not within the curtilage of a dwelling house within article 2(3) land.

E.4 For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse. As designed, the garage will be incidental to the enjoyment of the dwellinghouse for the storage & maintenance of the applicant's classic cars.