
2024/0934

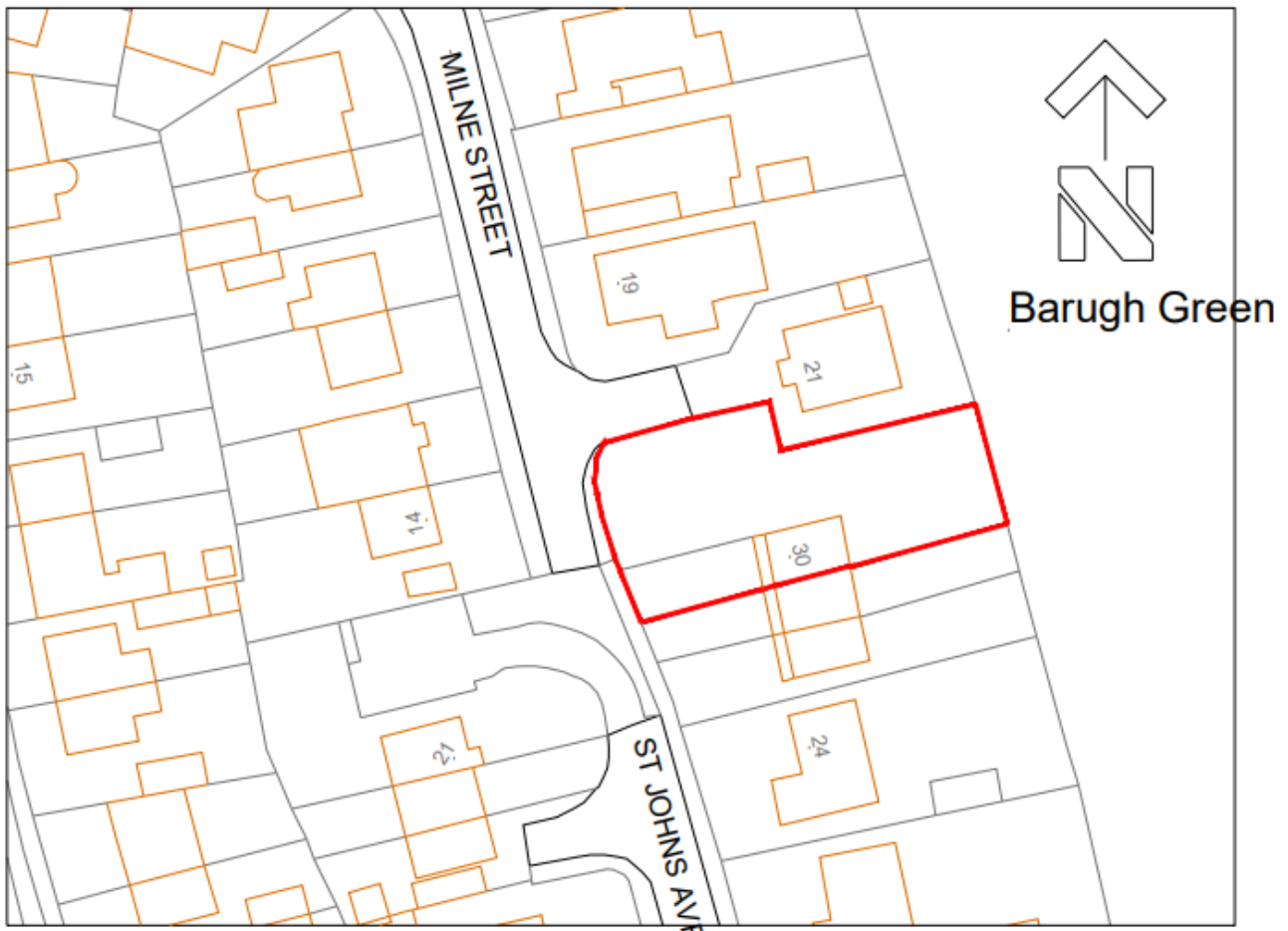
Mr Reece Birtles

30 St Johns Avenue, Barugh Green, Barnsley, S75 1NX

Certificate of lawfulness for proposed erection of detached garage ancillary to dwelling.

Site Description

The application relates to a terraced dwelling within the Barugh Green area. The property is formed from brown brick with a tiled pitched roof. The property features a flat roofed, brown cladded dormer to the front elevation. The area is characterised by a mixture of semi-detached properties and detached bungalows. Varying materials are used in the area including buff brick, orange brick, and stone features.

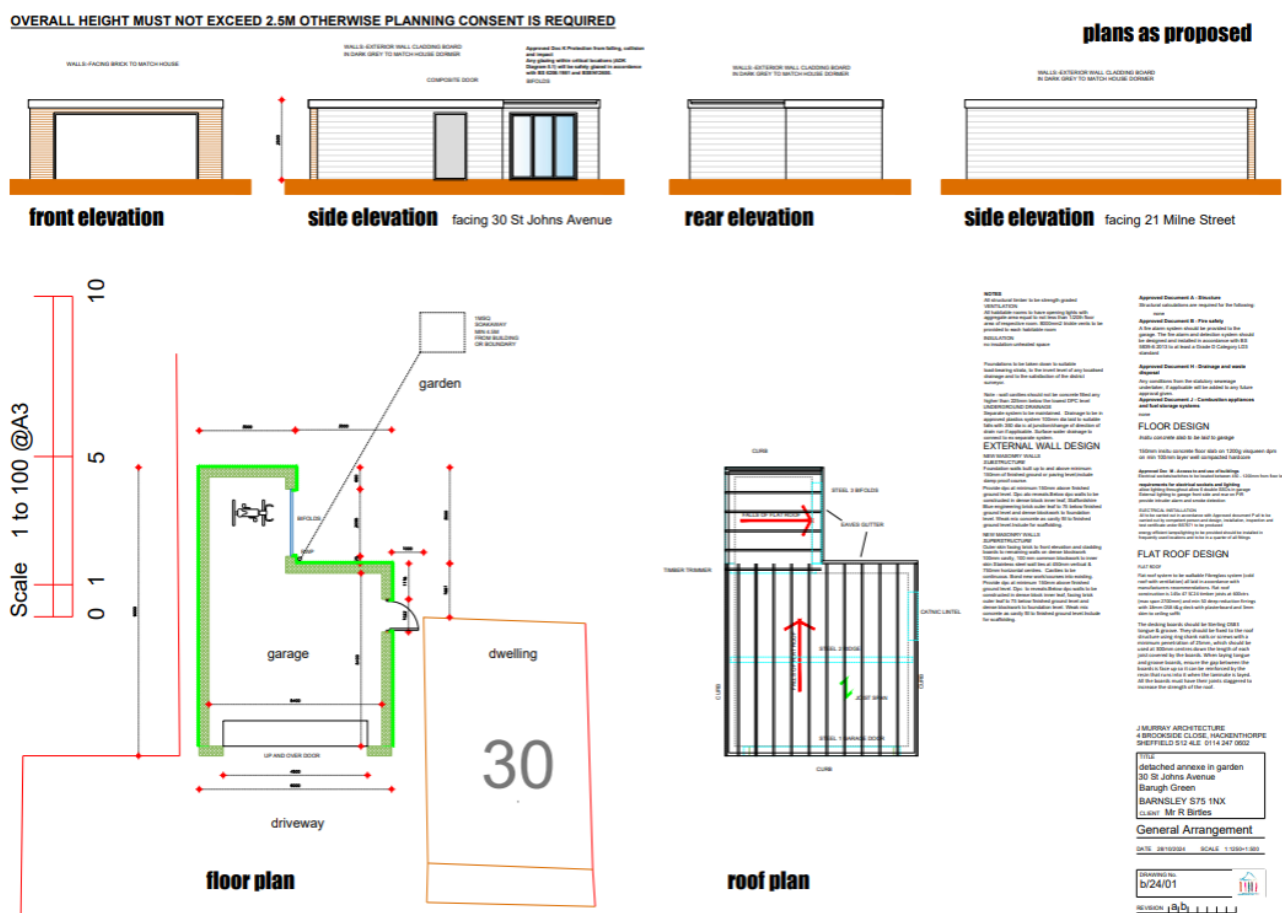


B/79/4130/DT – Historic Application
B/81/0139/DT - Erection of 10 dwellings – Historic Decision

The applicant has submitted an application for a Lawful Development Certificate for the proposed erection of a single storey detached garage.

The proposed garage would be erected to the north of the site dwelling. The garage would have a total length of approximately 9 metres and an approximately width of 6 metres. An approximate total height of 2.5 metres is proposed. A garage door is proposed to the front elevation spanning approximately 4.5 metres. An access door is proposed to the south elevation of the garage. The garage is set in at the rear by approximately 3 metres. Bifold doors are featured on this set back elevation facing south and spanning approximately 2.1 metre. Brickwork has been detailed to the front elevation of the garage with dark grey cladding to all other elevations.

Plans as Proposed - Drawing Number b/24/01 – Revision a,b



Policy Context

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, they may make an application for the purpose to the Local Planning Authority describing the use or operations in question.

The erection of buildings etc incidental to the enjoyment of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Principle of development

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

(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

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Development not permitted

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

(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);

(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;

(d) the building would 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;

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

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

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

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

(j) the capacity of the container would exceed 3,500 litres; or

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

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

(a) an area of outstanding natural beauty;

(b) the Broads;

(c) a National Park; or

(d) a World Heritage Site,

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.

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.

Interpretation of Class E

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.

Consultations

No consultation

Representations

No neighbours were consulted for this application.

Assessment

The erection of buildings etc incidental to the enjoyment of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Having checked these specifications along with other supplementary specifications, the proposals would comply with this legislation and requirements for permitted development. Therefore, the Certificate of Lawful Development should be granted.

**Recommendation -
Approve**