Planning Statement

Certificate of Lawfulness for outbuilding

36 Gorings Mead, Horsham, RH13 5BP

prepared by

WPS Planning

Planning Statement
36 Gorings Mead

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1.0 INTRODUCTION

1.1 This statement supports the submission of a Certificate of Lawfulness for the erection of an outbuilding for ancillary accommodation at 36 Gorings Mead, Horsham under Section 192 of the Town and Country Planning Act 1990.

2.0 ASSESSMENT OF CASE

2.1 The Application is for a Certificate of Lawfulness for the proposed development (as described above) will be assessed against The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class E. Class E allows for any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse.

2.2 The site is not within a conservation area and there are no Article 4 Directions covering the site and permitted development rights have not been previously removed.

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Under Class E the following limits and conditions apply:

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)

The above does not apply

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)

The proposed building would not exceed 50%

(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

The proposed outbuilding would be located in the rear garden of the site

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

The proposed building would 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,

(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

The proposed building would be located within 2m of the northern, eastern and wester boundaries. The proposed height would be 2.49m.

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

The proposed building would 2.49m in height.

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

The existing dwelling is not a listed building

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

Not applicable

(i) it relates to a dwelling or a microwave antenna
(j) the capacity of the container would exceed 3,500 litres

None of the above are proposed

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

The existing dwelling is not within any of the above

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

The site is not on 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

The proposed building, as stated on the plans, would be use for a gym and home office & storage space. Therefore would be used for purposes incidental to the main dwelling.

3.0 CONCLUSION

It is clear that the proposed building meets the criteria as set out by Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. As such, an application for a Certificate of Lawfulness should be granted.