

79 LINCOLN AVENUE, ALDWICK

Certificate of Lawfulness of Proposed
Development – Erection of outbuilding for
use for purposes incidental to dwelling,
namely as gym, snooker room and bar

Planning Statement

JULY 2017

APPLICANT: MR L PENSON

PREPARED BY: STEPHEN JUPP MRTPI, 348 CHICHESTER ROAD, BOGNOR REGIS, PO21 5BX

Contents

1	<u>SITE CONTEXT</u>	<u>1</u>
2	<u>THE PROVISIONS OF SCHEDULE 2, PART 1, CLASS E OF THE 1995 GPDO, AS AMENDED</u>	<u>1</u>
3	<u>CONCLUSIONS</u>	<u>3</u>

1.0 SITE CONTEXT

- 1.1 79 Lincoln Avenue is a semi-detached chalet bungalow located in the northeast corner of Lincoln Avenue. It backs onto open fields.
- 1.2 The property is located on the north side of Lincoln Avenue and its back garden is north of the dwelling.
- 1.3 It is proposed to erect an outbuilding for use for purposes incidental to the dwelling, namely as a gym, snooker room and bar.

2.0 THE PROVISIONS OF SCHEDULE 2, PART 1, CLASS E OF THE 1995 GPDO, AS AMENDED

- 2.1 Part 1 deals with development within the curtilage of a dwellinghouse and Class E is specific to '*building etc incidental to the enjoyment of a dwellinghouse*'.
- 2.2 Class E provides that development is permitted unless:

(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 (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 height of the building would have more than one storey;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(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; or

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

2.3 In respect of these limitations I would submit the following:

- a) Not relevant
- b) The curtilage of the property is 463.8 sq m and the ground area of the proposed building[there being no other buildings within the curtilage]is 103 sq m. Therefore the total area of ground covered would be 22%, far below the 50% threshold.
- c) The building will not be forward of the principal elevation.
- d) The outbuilding will project beyond the principal elevation of the original dwelling, not does it front a highway.
- e) The outbuilding will be within 2m of the boundary. The submitted plans indicate that its height will not exceed 2.5m.
- f) The eaves height is less than the ridge height which is 2.5m.
- g) Not relevant.
- h) Not relevant.
- i) Not relevant.
- j) Not applicable.

2.4 Paragraph E.2 is not relevant as the property is not on any of the specific areas listed.

2.5 Paragraph E.3 is not relevant as the property is not article 2(3) land.

2.6 Paragraph E.4 makes clear that 'incidental' includes purposes for the personal enjoyment of the occupants of the dwellinghouse. The outbuilding will be so used.

3.0 CONCLUSIONS

- 3.1 The submitted drawings and detailed analysis set out above demonstrate that the proposed outbuilding for use as a gym, snooker room and bar will constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class E of the 1995 GPDO, as amended.
- 3.2 The application for a Certificate of Lawfulness of Proposed Development should therefore be issued.