



SOUTHDOWN NURSERY
OLD MEAD ROAD
LYMINSTER
WEST SUSSEX

SUPPORTING STATEMENT
TO ACCOMPANY APPLICATION FOR CERTIFICATE OF LAWFUL DEVELOPMENT
FOR PROPOSED OUTBUILDING

OCTOBER 2021

Sloane and Brown Ltd
Unit 3B Woodhorn Business Centre
Woodhorn Lane
Oving
Chichester
West Sussex PO20 2BX

Document Statement	Version 1	Date Issued Oct 2021	Author PLB	Checked by KMS	Key changes from previous version n/a - first issue
--------------------	-----------	----------------------	------------	----------------	---

INTRODUCTION

The scheme comprises a proposed single storey detached outbuilding within the grounds of an existing dwellinghouse. We are seeking a certificate of lawful development for the proposed outbuilding.

REASONS FOR COMPLIANCE

We believe this work can be carried out within householder permitted development rights based on the following criteria:

Class A - This category is not relevant to the proposals as it relates to the enlargement, improvement or alteration of a house.

Class B - This category is not relevant to the proposals as it relates to the addition or alteration of a roof to a house.

Class C - This is not relevant as it relates to any other alterations to the roof of a house.

Class D - This is not relevant as it relates to the construction of a porch.

Class E - The proposal can comply with the various criteria relating to the provision of buildings and other development on land surrounding the house for the following reasons;

- (a) The proposed outbuilding comprises a building used for a purpose incidental to the enjoyment of the dwellinghouse. Specifically, the outbuilding will comprise accommodation to be used for ancillary residential purposes.

Under class E, the following limits and conditions can be seen to be fully complied with;

- E1 (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 dwellinghouse has been used as a dwellinghouse since it was first constructed more than 50 years ago and it was not granted by virtue of Class M, N, P, PA or Q.

- E1 (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 total area of ground covered by buildings, enclosures and containers within the curtilage would not exceed 50% of the total area of the curtilage.

- E1 (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 outbuilding is located within the rear garden and no part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.

- E1 (d) The building would have more than a single storey
The outbuilding is single storey only.

- E1 (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 outbuilding will have a dual-pitched roof and the ridge height would be no more than 4m high. The outbuilding would not be located within 2 metres of the boundary.

E1 (f) The height of the eaves of the building would exceed 2.5 metres
The eaves height would be no more than 2.5 metres.

E1 (g) The building, enclosure, pool or container would be situated within the curtilage of a listed building.
The outbuilding is not located with the curtilage of a listed building.

E1 (h) It would include the construction or provision of a verandah, balcony or raised platform
The outbuilding does not include a verandah, balcony or raised platform.

E1 (i) It relates to a dwelling or a microwave antenna
The application relates to an outbuilding, and not a dwelling or microwave antenna.

E1 (j) The capacity of the container would exceed 3,500 litres.
The application relates to an outbuilding, and not a container.

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 site is not located within a World Heritage Site, a National Park, an AONB or the Broads.

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 located on article 2(3) land.

Class F - This class is not relevant as it relates to hard surfacing within the curtilage of the house.

Class G - This class is not relevant as the proposals do not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

Class H - This class is not relevant as the proposals do not include the installation, alteration or replacement of a microwave antenna.

SUMMARY

We believe we have adequately demonstrated that the proposed detached outbuilding within the curtilage of the existing dwellinghouse comprises a lawful form of development under Class E of householder permitted development rights for the reasons outlined above.

Sloane and Brown Ltd
Unit 3B Woodhorn Business Centre
Woodhorn Lane
Oving
Chichester
West Sussex PO20 2BX

