

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DW	13/12/18
Planning Development Manager authorisation:	SCE	14.12.18
Admin checks / despatch completed	VLR COYER	14/12/18

Application: 18/01768/LUPROP **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr John Doyle

Address: 1 Michaelstowe Close Harwich Essex

Development: Erection of two pre-fab concrete framed sheds in garden.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

01/01202/FUL	Land to be used as private garden only fencing to be erected to the outer boundary	Approved	21.09.2001
04/00117/FUL	Alterations and additions to house.	Approved	06.03.2004
08/01647/FUL	Demolition of garage and erection of side extension (to provide annexe accommodation) and new roof to replace existing concrete roof.	Approved	13.02.2009
18/01768/LUPRO P	Erection of two pre-fab concrete framed sheds in garden.	Current	

4. Relevant Policies / Government Guidance

n/a

5. Officer Appraisal

Proposal

This application seeks a Lawful Development Certificate for the proposed erection of 2 single storey outbuildings within the curtilage of 1 Michaelstowe Close, Harwich.

Both outbuildings will be sited at the Northern corner of the site, one measuring 6.1m by 3.74m with a height of 2.4m; and the other measuring 10.4m by 4.34m with a height of 2.5m. Both will be constructed of prefabricated concrete frames, and will be used for purposes incidental to the occupation of the dwelling.

Assessment

The main considerations are the Planning History and the General Permitted Development Order.

Planning History

The dwelling was constructed prior to 1948, so was not subject to planning permission. As such, it benefits from permitted development rights.

General Permitted Development Order

The aim of this application is to establish whether or not the proposed development would require planning permission. The certificate issued would state that the development is lawful and not at risk of being subject to enforcement action.

To establish whether the proposed development is permitted development, reference needs to be made to the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed extension falls to be considered under Schedule 2, Part 1, Class E of the order - 'buildings etc. incidental to the enjoyment of a dwellinghouse'.

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 or Q of Part 3 of this Schedule (changes of use);

Not applicable.

(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 covered by the proposed outbuilding and existing buildings will not exceed 50% of the total area.

(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;

Neither of the proposed outbuildings will be in front of the dwelling's principal elevation.

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

Both proposed outbuildings are 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 outbuildings will be sited within 2 metres of the boundary, but will not exceed 2.5 metres.

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

The eaves of the proposed outbuildings will not exceed 2.5 metres.

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

The proposal is not within the curtilage of 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; or

Not applicable.

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

Not applicable.

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.

Not applicable.

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.

Not applicable.

6. Recommendation

Lawful Use Certificate Granted

7. Conditions / Reasons for Refusal

- 1 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1 Class E of the Town & Country Planning (General Permitted Development) (England) Order 2015.

8. Informatives

n/a

