

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	13 th Aug 2020
Planning Development Manager authorisation:	AN	17/08/2020
Admin checks / despatch completed	CC	17.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	17.08.2020

Application: 20/00323/LUPROP **Town / Parish:** Little Clacton Parish Council

Applicant: Penny Investments Ltd

Address: 8A Holland Road Little Clacton Clacton On Sea

Development: Construction of a detached garage.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

18/01272/OUT	Proposed erection of 5 Bungalows.	Refused	26.09.2018
19/00005/OUT	Erection of 4 bungalows.	Approved	19.07.2019
20/00323/LUPROP	Construction of a detached garage.	Current	

4. Relevant Policies / Government Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015.

5. Officer Appraisal

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

Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use). **The proposal complies.**

- (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 (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). **The proposal complies.**

- (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;

No 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 proposal complies.**

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

The building would not have more than a single storey. **The proposal complies.**

- (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 building **would not** be sited within 2m of the boundary and the height of the building would not exceed **4m**. **The proposal complies.**

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

The height of the eaves of the building would not exceed 2.5 metres. **The proposal complies.**

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

The building, enclosure, pool or container would not be situated within the curtilage of a listed building. **The proposal complies.**

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

It would not include the construction or provision of a verandah, balcony or raised platform. **The proposal complies.**

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

It does not relate to a dwelling or a microwave antenna. **The proposal complies.**

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

n/a

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

The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses). **The proposal complies.**

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.

The curtilage of the dwellinghouse is not in any of the areas (a) to (d). **The proposal complies.**

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 curtilage **is not** article 2(3) land. **The proposal complies.**

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.

The development **is** considered to be for a purpose incidental to the enjoyment of the dwellinghouse as such which 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 proposal complies.**

6. Recommendation

Permitted development

7. Conditions / Reasons for

The proposed garage is automatically granted planning permission by virtue of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class E and an application for planning permission is not therefore required.

8. Informatives

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO