HUNTINGDONSHIRE DISTRICT COUNCIL

25/00477/CLPD

OFFICER REPORT

Case No: **25/00477/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Demolish existing brick garage and replace with a larger garage with a concrete base including insertion of underground pipes and new drains and removal of unsafe plastic roof between the existing garage and bungalow**

Location: **4 Chesham Road Sawtry Huntingdon**

Applicant: **Mr Mel Gould**

Grid Ref: **517222 282909**

DESCRIPTION OF SITE AND APPLICATION

The application site at 4 Chesham Road is occupied by a single storey detached bungalow located within a residential area in Sawtry.

A Certificate of Lawful (Proposed) Development is sought to demolish the existing brick garage and replace with a larger garage with a concrete base including insertion of underground pipes and new drains and removal of unsafe plastic roof between the existing garage and bungalow.

While the permitted development rights of the property have not been removed, in order for the proposed development to be considered, the criteria outlined in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) must be met and this is assessed below.

NATIONAL GUIDANCE

The Town and Country Planning Act 1990

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

RELEVANT PLANNING HISTORY

None relevant.

CONSULTATIONS

No consultations - Certificate of lawful permitted development

REPRESENTATIONS

Cadent Gas - No objection, informative note required.

PLANNING ASSESSMENT

* Development within the curtilage of a dwellinghouse

Schedule 2 - Part 1 - Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the provision within the curtilage of the dwellinghouse of 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, subject to certain criteria set out within the Order. The proposed garage as indicated on the submitted plans would be permitted as it falls within the definition and because the following additional tests are satisfied:

a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Officer Assessment: Compliant

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);

Officer Assessment: Compliant

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;

Officer Assessment: Compliant

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

Officer Assessment: Compliant

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;

Officer Assessment: Compliant – revised plans have been submitted which correctly reflect the proposed maximum height of the garage not exceeding 2.5 metres

f) the hight of the eaves of the building would exceed 2.5 metres;

Officer Assessment: Compliant

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

Officer Assessment: Compliant - the proposed garage is not situated within the curtilage of a Listed Building

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

Officer Assessment: Compliant

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

Officer Assessment: Compliant - the proposal is for a garage

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

Officer Assessment: Not applicable

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

Officer Assessment: Compliant

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.

Officer Assessment: Compliant - the application site does not fall into 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.

Officer Assessment - Compliant - the application site is not on article 2(3) land.

CONCLUSION

The proposed demolition of the existing garage and erection of a larger garage as shown in the submitted plans accords with the criteria and conditions set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development is considered to be permitted development and is therefore granted planning permission by virtue of Article 3 of this Order. An application for planning permission is not required.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 3883424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Josh France**