

## PLANNING STATEMENT

### 71 SYMONDS ROAD, HITCHIN

#### Class E

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, PA 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 block plan indicates the outbuilding would not exceed 50% of the total area of the curtilage of the property, and the proposal complies with this criterion.**

(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 proposal would be situated to the rear of the site and therefore complies with this criterion.**

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

The proposal would be single storey and would therefore comply with this criterion.

(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 has been constructed within 2m of the boundary. The original ground level has been reduced by 70mm. The highest part of the structure measured from the lowest original ground level is 2480mm and from the highest ground floor 2130mm. The roof height is not more than 2.5m due to being located within 2m of a boundary.**

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

The outbuilding has been constructed within 2m of the boundary. The original ground level has been reduced by 70mm. The highest part of the structure measured from the lowest original ground level is 2480mm and from the highest ground floor 2130mm. The roof height is not more than 2.5m due to being located within 2m of a boundary.

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

The host dwelling is not a listed building and therefore the proposal complies with this criterion.

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

The proposal does not include the construction of any of the above, and therefore complies with this criterion.

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

This criterion is not applicable.

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

This criterion is 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.

The site is not within any of the above areas and therefore complies with this criterion.

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 within article 2(3) land and therefore complies with this criterion. The outbuilding would be located at the rear of the site. The proposal complies with this criterion.

### **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.

Within the Permitted development rights for householders, Technical Guidance- April 2017 document states that,

A purpose incidental to a house would not, however, cover normal residential uses, such as separate self-contained accommodation nor the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen.

A storage & study is considered to meet the domestic needs or personal enjoyment of the occupants of the dwelling house, therefore the proposed use is considered to be incidental to the enjoyment of the dwellinghouse.