

# Peter Hitchen Architects

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The Sidings Business Park  
Whalley  
Lancashire  
BB7 9SE  
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## **PROPOSED REPLACEMENT MIXED USE OUTBUILDING AT THE CROFT, EAVES HALL LANE, WEST BRADFORD**

This statement details the relevant permitted development class from the Technical Guidance document (Ministry of Housing 2019) which the proposal relates to in order to support the Lawful Development Certificate application to RVBC for the replacement outbuilding within the domestic curtilage of the existing detached house.

This is to support the drawings and in order to validate the submission. This document will allow the case officer to assess all the facts.

The following should be read in association with the application drawings.

### **CLASS E – Buildings etc**

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 (change of use) Buildings etc are not permitted where the house was created under the permitted development rights to change use, set out in Classes M, N, P, PA, and Q of Part 3 of Schedule 2 to the Order (see page 4)**

*N/A*

**(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 area of the replacement outbuilding is less than the existing and comfortably within the limitations.*

**(d) the building would have more than a single storey** Any buildings within the curtilage can only have one storey. Buildings with more than one storey are not permitted development and will require an application for planning permission.

*The replacement outbuilding is 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**
- (iii) 3 metres in any other case**

*The proposed outbuilding is 700mm from the boundary and has a maximum height of 2.5m above the boundary taken from the levels along the boundary*

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

*The height of the eaves does not exceed 2.5m*

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

*N/A*

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

*N/A*

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

*N/A*

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

*N/A*

**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**
- (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**

*N/A*

**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 proposed outbuilding is positioned at the rear of the host dwelling and outside of the shaded area which is parallel to the side of the house as defined by the technical guidance.

### **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**

*N/A*

