

**Application for a certificate of lawful development relating to a domestic  
outbuilding at 7 Arthur Lane, Ainsworth BL2 5PW**

**The application is made under section 192 of the 1990 Act (as amended) and in  
relation to Schedule 2, Part 1, Class E of the General Permitted Development  
Order 2015 (as amended)**

**Planning statement**



**March 2024**

**Prepared by Hartley Planning and Development Associates Ltd**

No 7 Arthur Lane is a semi-detached house. It does not have a garage. The proposal is to construct an outbuilding to include a double garage, a domestic office and a gym, all for domestic use and incidental to the enjoyment of the dwelling house.

The owner wishes to obtain confirmation from the local planning authority that the proposed development would constitute permitted development.

The proposal would be within the existing curtilage of the dwelling and as shown on a planning approval for its extension in October 2001 (ref 38337/01), in January 2024 ( Re 70227) and also on the deeds to the property.

Permitted development rights have never been removed from the dwelling

Therefore, the application is submitted for confirmation that the proposed development, as shown on the submitted plans, would be permitted under Schedule 2, Part 1, Class E and Class F of the General Permitted Development Order 2015 (as amended).

The proposed development would accord with the terms of Class E and F as the following indicates: -

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| <b><i>Permitted development</i></b><br><b><i>Class E</i></b><br>The provision within the curtilage of the dwellinghouse of—<br>(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 |  |
| <b>Development not permitted</b>                                                                                                                                                                                                                                                                                                                          |  |

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| <p><b><i>E.1. Development is not permitted by Class E if—</i></b></p> <p><i>(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);</i></p>                                                                                                  | Not applicable                                                                                        |
| <p><i>(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);</i></p>                                                                                        | Condition is met                                                                                      |
| <p><i>(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;</i></p>                                                                                                                                                                           | The outbuilding would not be situated on land forward of the principal elevation to the dwellinghouse |
| <p><i>(d) the building would have more than a single storey;</i></p>                                                                                                                                                                                                                                                                                          | The outbuilding would be single storey                                                                |
| <p><i>(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,</i></p> <p><i>(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</i></p> <p><i>(iii) 3 metres in any other case;</i></p> | The building would have a double pitch roof with a height of 4 metres                                 |
| <p><i>(f) the height of the eaves of the building would exceed 2.5 metres;</i></p>                                                                                                                                                                                                                                                                            | The height to the eaves would be 2.35 metres                                                          |
| <p><i>(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;</i></p>                                                                                                                                                                                                                                     | 7 Arther Lane is not listed                                                                           |
| <p><i>(h) it would include the construction or provision of a verandah, balcony or raised platform;</i></p>                                                                                                                                                                                                                                                   | No verandah, balcony or raised platform is proposed                                                   |
| <p><i>(i) it relates to a dwelling or a microwave antenna;</i></p>                                                                                                                                                                                                                                                                                            | The proposal is for neither                                                                           |
| <p><i>(j) the capacity of the container would exceed 3,500 litres</i></p>                                                                                                                                                                                                                                                                                     | Not applicable                                                                                        |

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| <i>k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).</i>                                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable                                                                                                                                                                                 |
| <p><b>E.2.</b><br/> <i>In the case of any land within the curtilage of the dwellinghouse which is within—</i><br/> <i>(a) an area of outstanding natural beauty;</i><br/> <i>(b) the Broads;</i><br/> <i>(c) a National Park; or</i><br/> <i>(d) a World Heritage Site,</i><br/> <i>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.</i></p> | Not applicable                                                                                                                                                                                 |
| <p><b>E.3.</b><br/> <i>In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land,</i><br/> <i>development is not permitted by Class E if any part of the building, enclosure, pool or container</i><br/> <i>would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.</i></p>                                                                                                                 | Not applicable                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                |
| <p><b>Class F</b><br/> Hard surfaces incidental to the enjoyment of a dwellinghouse<br/> <i>Law In Force</i><br/> <b>F. Permitted development</b><br/> <b>Development consisting of—</b><br/> <i>(a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or</i><br/> <i>(b) the replacement in whole or in part of such a surface.</i></p>                                                                              | <p>The area of the curtilage for the proposed outbuilding already has a hard surface.</p> <p>The provision of Class F is included within the LDC application in the interests of certainty</p> |
| <b>F.1. Development not permitted</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                |

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| <p><i>[ Development is not permitted by Class F if—</i></p> <p><i>(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue</i></p> <p><i>of [ Class G, M, MA, N, P, PA or Q of Part 3 ] 2 of this Schedule (changes of use); or</i></p> <p><i>(b) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).</i></p>                                                                                                                                                                                                                                                                                       | <p>Not applicable</p>                                                                                                                                                                     |
| <p><b>F.2. Conditions</b></p> <p><i>Development is permitted by Class F subject to the condition that where—</i></p> <p><i>(a) the hard surface would be situated on land between a wall forming the principal elevation</i></p> <p><i>of the dwellinghouse and a highway, and</i></p> <p><i>(b) the area of ground covered by the hard surface, or the area of hard surface replaced,</i></p> <p><i>would exceed 5 square metres,</i></p> <p><i>either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the</i></p> <p><i>dwellinghouse</i></p> | <p>Any additional hard surfacing, or any replacement hard surfacing would be in a porous material and /or would be drained to a porous area within the curtilage to the dwellinghouse</p> |