DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO/ADDRESS: 11/0081 – 12 Heatherstone Road

DATE OF SITE VISIT: 22/3

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): None.

SITE AND SURROUNDINGS:

This application relates to the rear garden area of a mid terraced house on the east side of Heatherstone Road. The rear garden backs on to a wide, unadopted, access.

The property is not in a conservation area and the building is not listed.

PROPOSAL

A determination is sought as to whether a detached garage building in the rear garden requires planning permission.

RELEVANT PLANNING HISTORY:

None.

RELEVANT PLANNING POLICIES:

GPDO 1995, as amended.

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

No letters from neighbours received.

HUMAN RIGHTS:

First Protocol (Protection of Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

Class E, Part 1 of Schedule 2 of the amended GPDO 2008 allows for the provision within the curtilage of a house of any building for a purpose incidental to the enjoyment of the house as follows:

i) The total area of the ground covered by buildings does not exceed 50% of the total area of the curtilage;

ii) The building is not forward of the principal elevation of the house;
iii) The height of the building would not exceed:
- 4 metres in the case of a building with a dual pitched roof,
- 2.5 metres in the case of a building within 2 metres of the boundary of the curtilage of the house,
- 3 metres in any other case;

iv) the height of the eaves would not exceed 2.5 metres;
v) it is not within the grounds of a listed building;
vi) it must not include the construction or provision of a veranda, balcony or raised platform;
vii) and if in a conservation must not be between the side wall of the house and the boundary.

The proposed structure is described as a garage and is therefore incidental to the use of the property as a house. It is not forward of the principal elevation and it, and other outbuildings, would not occupy more than 50% of the curtilage of the house. The building is proposed within 2 metres of a boundary but would not exceed 2.5 metres in height or consequently have an eaves greater than 2.5 metres in height. It does not include a veranda, balcony or raised platform and is not within a conservation area.

The proposed garage is permitted development within the terms of Class E, Part 1 of Schedule 2 of the amended GPDO 2008.

RECOMMENDATION

Issue certificate.

The proposed development described in the application and submitted drawings is lawful by virtue of Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

REASONS FOR RECOMMENDATION:

The proposal complies with the relevant part of the GPDO.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?
No.

DELEGATED

Case Officer sign..... [redacted] Date..... 25/3/11

Authorising Officer sign..... [redacted] Date..... 29.3.11