

3207 – 17 Himley Road, Manchester

Certificate Statement - Class E

This report has been prepared to support an application for a Certificate of Lawful Development for 'buildings incidental to the enjoyment of a dwellinghouse' to 17 Himley Road, Manchester, M11 4JE

Existing Building

The property is a semi-detached property set back from the road with a garden to the front and rear.

Proposals

The proposals comprise:

- The construction of a single storey timber clad garden room which will not exceed 2.5 metres in height

Certificate of Lawful Development

This application seeks a prior approval determination for the proposed garden room.

Compliance with Class E

It is considered that the proposed garden room would be 'Permitted Development' by reference to Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as follows:

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

(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; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

E.1 (a permission to use the dwellinghouse as a dwellinghouse **has not** been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) **will not** exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) any part of the building, enclosure, pool or container **will not** be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

- (d) the building **will not** have more than a single storey;
- (e) the height of the building, enclosure or container **will not** 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;
- (f) the height of the eaves of the building **will not** exceed 2.5 metres;
- (g) the building, enclosure, pool or container **will not** be situated within the curtilage of a listed building;
- (h) it **will not** include the construction or provision of a verandah, balcony or raised platform;
- (i) it **does not** relate to a dwelling or a microwave antenna; or
- (j) the capacity of the container would exceed 3,500 litres.

E.2 The land is **not** within—

- (a) an area of outstanding natural beauty;
- (b) the Broads;
- (c) a National Park; or
- (d) a World Heritage Site,

E.3 The dwellinghouse is **not** on article 2(3) land

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.

Conclusion

The proposed provision within the curtilage conform to the criteria set out within Schedule 2, Part 1, Class E of the GPDO and a positive certificate should be issued.