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I. INTRODUCTION

This statement has been prepared in support of a retrospective planning application for construction of a flat roofed outbuilding in the rear garden of the application property.

This statement should be read in conjunction with the following application drawings:

322 P-00 – Site Location Plan

322 P-01 – Pre-Development Block Plan

322 P-02 – Current Block Plan

322 P-03 –Floor and Roof Plans

322 P-04 - Elevations

2. PLANNING

The application seeks planning permission for construction of an outbuilding (a garden room). This application is retrospective as the outbuilding is largely completed.

The garden room is 8m x 4m and with a maximum height, measured from the highest adjoining ground level, of 2.69m. It is of timber construction with a flat roof, timber cladding and folding doors. The building is positioned between 0.85m and 1m from the property boundary.

Class E Permitted Development Rights (of Schedule 2 Part 1 of the General Permitted Development Order) permits

“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 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 [\[F1G,\]](#) M, [\[F2MA,\]](#) N, P [\[F3, PA\]](#) or Q of Part 3 of this Schedule (changes of use);*

Does not apply.

- (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);*

Does not apply.

- (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;*

Does not apply. The outbuilding is to the rear of the original dwellinghouse.

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

Does not apply. The outbuilding has a single storey only.

- (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,*

Does not apply. The outbuilding has a flat 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*

Applies. As above, the maximum height of the outbuilding is 2.69m.

- (iii) *3 metres in any other case;*

Does not apply.

- (f) *the height of the eaves of the building would exceed 2.5 metres;*
Does not apply. The height of the eaves of the building is 2.43m.
- (g) *the building, enclosure, pool or container would be situated within the curtilage of a listed building;*
Does not apply.
- (h) *it would include the construction or provision of a verandah, balcony or raised platform;*
None of these apply.
- (i) *it relates to a dwelling or a microwave antenna;..*
Does not apply.
- (j) *the capacity of the container would exceed 3,500 litres; or*
Does not apply.
- (k) *the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)*
Does not apply.

As can be seen, the outbuilding fully complies with the criteria for Class E Permitted Development with the sole exception of its height. Clause (e) ii of Class E requires that the outbuilding have a maximum height of 2.5m as it is within 2m of the curtilage of the property. The outbuilding as constructed exceeds this by **190mm**, having a maximum height of 2.69m.

The principle under consideration within this application, therefore, is whether the impact of the additional 190mm of height gives rise to unacceptable impacts. All other aspects of the outbuilding (footprint, appearance, use, siting) could be delivered under Permitted Development without requiring planning permission.

The outbuilding is sited within the rear garden of 56 Chalk Hill and is not visible from any public location. It could only be perceived from the application building and from the very small number of neighbouring properties. Mature trees and hedgerows further limit any visibility of the outbuilding.

The outbuilding is modest in scale and appearance, in-keeping with the many outbuildings constructed in rear gardens of properties along Chalk Hill. It is positioned parallel to the property boundary, set inwards by circa 900mm. The closest adjoining property to the outbuilding is 54 Chalk Hill. The rear gardens of the application property and Chalk Hill are heavily shaded by existing mature trees and hedgerows. No additional shading arises from the outbuilding and in particular no additional impact from the 190mm of height in excess of permitted development rights. All the outbuilding windows face onto the application property curtilage and so no issues of overlooking arise. No other impacts or loss of amenity arise. No other neighbouring properties are affected and the outbuilding is unlikely even to be visible to more than 4 properties other than the application property.

The applicants are aware of the protected status of the trees within the rear garden. The outbuilding replaces a timber shed which was sited on a concrete slab – both the shed and slab have been removed. The outbuilding has been constructed using a suspended timber floor supported on miniature pad foundations, each with a diameter of less than 300mm. Care was taken during their excavation to avoid any roots. No other excavation including site levelling or topsoil removal was required as the timber floor simply ‘floats’ over the existing surface. There is also no ‘underbuild’

below the floor level and rainwater remains free to drain underneath the building as it would have prior to construction of the outbuilding.

In conclusion, it can be seen that no harm arises from the outbuilding. The principle of development including use, scale, siting and appearance are all established through Permitted Development and the only element requiring planning permission is the height, which exceeds that allowed by Permitted Development Rights by a de minimis amount. When considered as a whole, the outbuilding is appropriate to the setting and no harm or other impact arises.