



STATEMENT OF EVIDENCE

Proposed studio/garden room in rear garden at 22 Pemberton Crescent,
Wednesbury, West Midlands, WS10 0UE



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MRC Planning

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The statement is structured as follows:

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1.0 Introduction

- 1.1 This statement has been prepared to support an application for a certificate of lawful development under Section 192 of the Town and Country Planning Act 1990 for the siting a detached studio/garden room for leisure and recreation and as an occasional home office, at the foot of the rear garden of the detached house at 22 Pemberton Crescent, Wednesbury.
- 1.2 Section 192 applies where a person wishes to ascertain whether the proposed use of buildings or other land or any operations proposed to be carried would be lawful by making an application to the LPA specifying the land describing the use or operations in question.
- 1.3 In this instance a sectional flat-roofed structure measuring 6.36m wide by 2.7m deep with a maximum height of 2.5m is proposed.
- 1.4 The proposed structure is to be sited on the level ground at the foot of the garden and is to be used for purposes that are incidental to the use of the dwelling for purposes including leisure and recreation and as an occasional home office.
- 1.5 The photograph below shows a similar structure from the same manufacturer in another location.



Representative image only

- 1.5 A photograph of the existing garden area showing the intended position for the structure are shown below. The structure similar to the one shown above is to be sited along the rear boundary, backing onto an electrical substation enclosure. All fences and walls are to remain in place around the structure.

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view of rear garden with position of studio shown

2.0 The Evidence

- 2.1 The application is accompanied by a range of plans showing the proposed position of the structure and scaled elevations and floor plan of the structure.
- 2.2 The applicants have confirmed that the intended use is simply for leisure and recreation and as an occasional home office.
- 2.3 It is considered the structure would be permitted development. The Town and Country Planning (General Permitted Development Order) 2015 (As Amended) Schedule 2 Part 1 Class E relates to 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.
- 2.4 In this case this statement of evidence and the plans accompanying it demonstrate that: -
- The total area of ground covered by the studio/garden room combined with previous extensions to the house is less than 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

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Approximate area of site = 350 sq. m

Less 56 sq. m (original house and garage) = 294 sq. m

Less existing extensions 80 sq. m = 214 sq. m

Less area of studio 16 sq. m = 198 sq. m

198 sq. m exceeds 50 per cent (50% = 147 sq. m) of original garden area (excluding original house)

- The structure will not be located forward of the principal elevation of the house.
- The structure will be single storey only.
- The height of the structure will be 2.5m maximum.
- The eaves of the structure do not exceed 2.5m.
- The structure is not in the curtilage of a listed building.

2.5 The proposal does not involve the construction of a veranda, balcony or raised platform and the land is not Article 2(3) land, within a conservation area or an area of outstanding natural beauty, the broads, a national park or a world heritage site.

3.0 **Conclusion**

3.1 The applicants are keen to secure a certificate confirming the studio is permitted development before proceeding with any expensive works on site and so in accordance with Council guidance are seeking a certificate to that effect.

3.2 The proposed garden room/studio will be Permitted Development under Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development Order) 2015 (As Amended).