

## Delegation Report Record

Application No: DM/2021/01108

Development: Creation of pool and pool house.

Location: Celebration Cottage, Candwr Road, Ponthir, NP18 1HU.

### **INTRODUCTION**

This application seeks a Lawful Development Certificate in respect of the creation of a pool and pool house at Celebration Cottage, Candwr Road, Ponthir. The application has been made on the basis that the proposed pool and pool house constitutes permitted development under Schedule 2, Part 1, Class E, of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

### **ISSUES/EVALUATION**

The property is not a listed building, it is not within a Conservation Area and it is not within Article 1(5) land. It is observed that the property is located in rural area and is set within its own garden curtilage. The issue in this case is whether the proposed development constitutes “permitted development” under the Order.

### **Class E**

The provision within the curtilage of a dwelling house of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwelling house as such, or the maintenance, improvement or other alteration of such a building or enclosure.

### **Where Development is not permitted**

E.1. Development is not permitted by Class E if—

- (a) it relates to a dwelling or a satellite antenna;
- (b) any part of the building or enclosure to be constructed or provided would be nearer to any highway which bounds the curtilage than—
  - (i) the part of the original dwelling house nearest to that highway, or
  - (ii) any point 20 metres from that highway, whichever is nearer to the highway;
- (c) where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, any part of it would be within 5 metres of any part of the dwellinghouse;
- (d) the height of that building or enclosure would exceed—

(i) 4 metres, in the case of a building with a ridged roof; or

(ii) 3 metres, in any other case;

(e) the total area of ground covered by buildings or enclosures 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); or

(f) in the case of any article 1(5) land or land within the curtilage of a listed building, it would consist of the provision, alteration or improvement of a building with a cubic content greater than 10 cubic metres.

Having assessed the drawings supplied in support of the application it can be confirmed the proposal meets the requirements as set out above.

It is therefore considered that the proposed development constitutes permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and a certificate can therefore be issued.

**RECOMMENDATION: Approved**

**Reason:** The proposed developments constitute permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013