

Statement of Evidence

15.03.2022

In support of application for a Lawful Development Certificate for a proposed use.

Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.

Town and Country Planning (General Permitted Development) Order (England) 2015, as amended.

Applicant

Mr and Mrs N Partridge

Site Address:

Harrow Cottage, Wield Road, Upper Wield, Alresford, SO24 9RW.

Proposal:

Erection of a single storey extension to the rear of the property as originally constructed.

Please refer to the accompanying N & J Design Ltd drawings as listed below, submitted in support of the this statement:

- 2021.09.01/02; Block plan and site location plan.
- 2021.09.01/03; Floor Area Calculations.
- 2021.09.01/04; Proposed Plans and Elevations.

Paul Stubbington's Survey drawings ref: 9511/01 and 02.

Relevant Planning Legislation:

The rules on permitted development are set out in Schedule 2 of the GPDO and are sub-divided into a series of Parts. Part 1 specifically deals with development within the curtilage of a house. Part 1 is then sub-divided into Classes covering various types of development.

The text below is taken from the *Ministry of Housing, Communities and Local Government, Technical Guidance* document dated September 2019.

Class A covers the enlargement, improvement or alterations to a house such as rear or side extensions as well as general alterations such as new windows and doors.

We do not believe the permitted development rights described above have been removed from the property and as such, we believe the proposed development to be lawful based on the evidence set out below:

Class A – enlargement, improvement or alteration.

Under Class A, the following limits and conditions apply:

A.1

Development is not permitted by Class A if:

- (a) **Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this schedule (change of use).**

Not applicable in this instance.

- (b) **as a result of the works, the total area of ground covered by buildings within**

the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)

In this instance, as a result of the proposal, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse

In this instance, no part of the dwellinghouse as enlarged, improved or altered, will exceed the height of the highest part of the roof of the existing dwellinghouse.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse

In this instance, the height of the eaves of the part of the dwellinghouse enlarged, improved or altered will not exceed the height of the eaves of the existing dwellinghouse.

For the purpose of measuring height, the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall.

The height of the eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope. Parapet walls and overhanging parts of eaves should not be included in any calculation of eaves height.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which:

- (i) forms the principal elevation of the original dwellinghouse; or***
- (ii) fronts a highway and forms a side elevation of the original dwellinghouse***

The proposed enlargement of the dwellinghouse will not extend beyond a wall which forms the principal elevation of the original dwellinghouse, nor will it extend beyond a wall which fronts a highway and forms a side elevation of the original dwellinghouse.

(f) the enlarged part of the dwellinghouse would have a single storey and:

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or***

- (ii) exceed 4 metres in height***

In this instance, the proposed enlargement to the dwellinghouse will be single storey and will not extend beyond the rear wall of the original dwellinghouse by more than 4 metres; the existing dwellinghouse being detached, and will not exceed 4 metres in height.

(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or***

(ii) exceed 4 metres in height.

Not applicable in this instance.

h) the enlarged part of the dwellinghouse would have more than a single storey and:

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse

Not applicable in this instance.

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres

In this instance, the enlarged part of the dwellinghouse is situated further than 2 metres from the boundary of the curtilage of the dwellinghouse.

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse

Not applicable in this instance.

or

(k) it would consist of or include:

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse

In this instance, the proposal to enlarge the dwellinghouse will not consist of:

- *the construction or provision of a verandah, balcony or raised platform,*
- *the installation, alteration or replacement of a microwave antenna,*
- *an alteration to any part of the roof of the dwellinghouse.*

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse

Not applicable in this instance as the dwellinghouse is not on article 2(3) land.

Conditions

A.3 Development is permitted by Class A subject to the following conditions

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

It is intended the proposal to enlarge the dwellinghouse will be constructed in exterior materials of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be:

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

Not applicable in this instance as the proposed enlargement is single storey

(c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse

Not applicable in this instance as the proposed enlargement is single storey.



N & J Design Ltd

7 Hedley Gardens

Hedge End

Southampton

SO30 2WT

T: 07840 404620

www.nandjdesign.co.uk