



Ref: CE/MKG/3306-05/LPA

9 May 2022

West Lancashire Borough Council  
52 Derby Street  
Ormskirk  
L39 2DF

Dear Sir/Madam

**Certificate of Lawfulness of Proposed Use of Development for a Detached Garage  
Incidental to the Dwellinghouse  
Manor House, Long Heys Lane, Dalton, WN8 7RS**

We are instructed by Mr Andrew Leigh to submit a Lawful Development Certificate application to you in connection with a proposed garage at Manor House, Long Heys Lane, Dalton, WN8 7RS.

This letter provides details of what the application involves and the reasons behind it and should be read in conjunction with the following plans which have been submitted as part of the application:

- Proposed Plan and Elevations (Plan Ref: 474/06A);
- Location Plan;
- Existing Site Plan (Plan Ref: 785/01); and
- Proposed Site Plan (Plan Ref: 785/02A).

**Background**

The application site has a large, detached dwelling known as Manor House. The property is set back from the road frontage and sits within a large plot. The site is located within the West Lancashire Green Belt.

A Certificate of Lawfulness application was approved in August 2020 (Application Ref: 2020/0485//LDC) which confirmed that the use of land for the land subject to this application is garden area.

**Certificate of Lawfulness Application**

**Partners**

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**RTPI**  
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The client would like to build a garage using permitted development rights. The current application seeks confirmation that it is lawful to build a garage within the curtilage of the dwelling as this is permitted under the provisions of Schedule 2, Part 1, Class E (referred to as "Class E" hereafter) of the General Permitted Development Order (GDPO) which permits any building required for a purpose incidental to the enjoyment of the dwellinghouse.

Details of the proposed garage can be seen on the submitted plans.

The proposed development is permitted by Class E of the Town and Country Planning (General Permitted Development) Order 2015 for the following reasons:

Development is not permitted by Class E if:	Does this apply?
Permission to use the dwellinghouse has been granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use).	No – we understand the property has full planning permission.
The total area of ground covered by buildings within the curtilage (other than the dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).	No – the proposed garage and other outbuildings within the curtilage would not exceed 50% of the curtilage.
Any part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.	No – this does not apply.
The building would have more than a single storey.	No – the garage is single storey.
The height of the building would exceed: (i) 4 metres in the case of a building with a dual-pitched roof.	No – the maximum ridge height is 4m.
The height of the eaves of the building would exceed 2.5 metres.	No – the maximum eaves height of the garage is 2.45m.
The building would be situated within the curtilage of a listed building.	No – it is not within the curtilage of a listed building.



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It would include the construction or provision of a veranda, balcony or raised platform.	No – this does not apply.
It relates to a dwelling or a microwave antenna.	No – this does not apply.

We would therefore respectfully request that the LPA confirm that they agree with our view and interpretation of Class E that the proposed garage constitutes permitted development under this particular Class through the issuing of a Lawful Development Certificate for the proposed garage.

Please do contact me if you require anything further in respect of the Certificate.

Yours faithfully

**Courtney Evason**, BSc (Hons), MCD

**Graduate**

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