

Heal Planning and Developments

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**HEAL**  
PLANNING & DEVELOPMENTS

## PLANNING STATEMENT

**SITE:** 106 Ramsey Drive, Arnold, Nottinghamshire, NG5 6QQ

**APPLICANT:** Samuel Bosacki

### Application Description:

Application for a Lawful Development Certificate for the erection of a double domestic garage under the Town and Country Planning Act 1990: Section 192 as amended by section 10 of the Planning and Compensation Act 1991. Town and Country Planning (Development Management Procedure) (England) Order 2015.

### Site Background:

A single storey brick outbuilding has been partially constructed within the rear garden of the property known as 106 Ramsey Drive. The application was originally submitted as a full, retrospective application and was refused as it was deemed to be sited forward of the principal elevation of the property. A subsequent appeal was dismissed due to the impact of the proposal on the character and appearance of the area but did not assess whether the proposal should be considered permitted development or not as this was not part of the original application.

This application therefore serves to demonstrate that the outbuilding as proposed should be considered to fall within the remits of Class E of the Town and Country Planning (General Permitted Development) Order 1995.

### Supporting Information:

The first and arguably the main issue for discussion is whether the proposal would be forward of the principal elevation of the host dwelling. The property is situated on a corner plot at the end of Connolly Close where it meets Ramsey Drive.

The front door is adjacent to a ground floor bay window and the property forms one half of a symmetrical pair of semi-detached properties. There is a porch on this elevation but this does

not form part of the original building being a later addition and therefore does not form the original front entrance.

The property is shown on the street view photograph below:



Figure 1 View of the front of the property from Connolly Close.

As can be seen from the photograph above, the front of the property is clearly the elevation that fronts onto Connolly Road, whilst the door into the porch faces towards Ramsey Drive, the main front door into the property faces forwards to Connolly Road and this is the original front entrance as demonstrated on the floor plans below:



Figure 2 Floor Plan of Dwelling showing position of Front Door.

When a property sits on a corner plot there has to be some assessment as to which elevation should be deemed to be the 'Principal Elevation'. There cannot be two principal elevations and there are two criterion that assists with the assessment in planning guidance:

*In most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned).*

*It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house.*

*Where there are two elevations that may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation.*

As previously stated, the site sits on a corner plot. The main postcode relates to Ramsey Drive and an image of this elevation is shown below taken from Google Street View. However, the main architectural features of the property face onto Connolly Close. The door into the porch faces Ramsey Drive but this is not an original feature of the property and the original front door faces onto Connolly Close.



*Figure 3 View from Ramsey Drive*

As is clear from the photograph above, this elevation cannot be considered the principal elevation, as whilst it is the elevation fronting the highway that forms the main postcode for the address, it clearly does not contain the main architectural features of the dwelling and is not the elevation that the main front door or front room window face out onto.

Further examples of similar style porch entrances are demonstrated below. It is clear that, despite the fact that the porch entrance door faces towards the side elevation, this does not change which elevation would be considered to be the principal elevation, and the application site should not be assessed any differently.





It should also be noted that within the dismissed appeal decision, the Inspector states “*there is an existing tall evergreen hedge along part of the boundary with Ramsey Drive, adjacent to where the outbuilding is to be located. Around the remainder of the rear/side garden boundary there is a standard close boarded fence of approximately 1.8 metres high*” This demonstrates that the Inspector has also assessed this elevation as being to the side and not the principal elevation of the property.

Therefore, assessing the principal elevation correctly as being the elevation facing onto Connolly Close, the next step is to assess the size of the outbuilding in relation to Permitted Development allowances.

The property sits on a slope with the land falling away to the rear. The garden sits higher than the pavement adjacent to the site. When assessing the appropriate height of a building under permitted development, the starting point is the highest point of the original ground level adjacent to the building.

As can be seen from the photographs below, the land has been dug down and steps provided to access the outbuilding.



*Figure 4 Original shed in situ and part-built outbuilding.*



Figure 5 Current Situation demonstrating the land has been dug down to provide a level concrete plinth for the building to sit on.



Figure 6 demonstration that the land has not been raised and remains as original with concrete level the same.



Figure 7 Further demonstration of existing ground level.

To comply with Permitted Development Requirements, the building:

- Sits more than 2 metres from the boundary and will not exceed 4 metres in height to the ridge of the dual pitched roof from the highest point of the original ground level adjacent to the building.
- Is not forward of the principal elevation of the property as demonstrated earlier within this statement.

- Will not, in conjunction with other additions to the dwelling, exceed more than 50% of the original curtilage of the property.
- Will not result in an independent unit of living accommodation and will solely be used ancillary to the main property.

### **Conclusions:**

As demonstrated within this statement, the proposed outbuilding falls within the remits of permitted development as set out in Class E of the Town and Country Planning (General Permitted Development) Order 1995 and should therefore receive the applied for Certificate of Lawful Development.

### **Recommendation:**

The Planning Authority is respectfully requested to approve this application.

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