

Design and Planning statement in support of 6x applications

3x applications for certificates of lawful development (for dwelling enlargement and 2 areas of hardstanding) plus 3x applications for planning permission (retrospective) for the demolition of 5 buildings and replacement by a single building and replacement fencing around the site whole site

Preface

An enforcement notice was upheld on appeal last century. No prosecution was ever begun for subsequent breach and the applicant acquired the land in 2022.

A PCN was issued regarding laying of hardstanding, now subject of 2x LDC applications.

A LPA letter dated 9/9/23 asserted the following breaches:

- 1 new building
- 2 single storey side extension to dwelling
- 3 metal fencing
- 4 cutting down trees
- 5 new hardstandings

The applicant denies 2, 4 or 5 were breaches of planning control, such were either not development as defined, or permitted development. Permission is sought for replacement building and fencing.

Detail

1 A new building is proposed (which is smaller than that on site) following demolition of 5 buildings (their footprints are shown on the submitted plans). It will have once completed a smaller footprint and volume than those demolished (as shown on the plans).

Whilst permission should have been obtained before work began, such is now sought. Permission should be given because NPPF 149g states such is not inappropriate in green belt. The development plan is/must be consistent with NPPF. The proposed new building, overall, reduces built footprints as well as improves amenities by facilitating the established use i.e. use as car repairs, in addition to car sales (a mixed use¹) in and out of one building rather than 6, it has superior noise retardation qualities and venting of fumes compared to the ancient structures that could have been extended by 50%/100m under permitted rights². This improves the amenities of nearby residential occupiers as well as openness. It will also addresses noise and fumes for those working at the site, both inside and outside the building. It being smaller also increases flood water capacity (see FRA).

2 This was permitted development being less than half width, same eaves height. See CLEUD application.

3 Permission is sought, but it replaced solid means of enclosures of same height, the new greatly improves openness, being see-through. See 2x s70 applications. Given the local street scene

¹ see LDC application

² GPDO Sch 2 Pt 7 Class A

and land uses are commercial, these fences are not out of character and reasonable in all the circumstances especially given openness is improved.

4 This was not development as defined.

5 That laid forward of the dwelling drains water to porous ground as shown on the plans; that to the side and rear of dwelling was permitted development³ too – see CLEUD application. The hardstanding in the commercial area, being less than 50 sqm of the Class E site was replacement, with provision made to drain to a permeable area, thus also permitted development⁴. See separate CLEUD application.

³ GPDO Sch 2 Pt 1 Class F

⁴ GPDO Sch 2 Pt 7 Class E