

<u>APPLICATION NO:</u>	23/02719/CLD	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	6 Gatehouse Way, Halewood, Knowsley		
<u>PROPOSAL:</u>	CERTIFICATE OF LAWFULNESS FOR PROPOSED ERECTION OF WOODEN GAZEBO		

Site Description

The application site is located at 6 Gatehouse Way, Halewood and is located within one of the Sustainable Urban Extension (SUE) areas, the East of Halewood (South). The land is allocated as residential in the Development Plan.

The application property is a detached dwelling with the garden to the rear. Permitted Development Rights appear to remain intact here and there is no evidence to state that these have been removed.

Proposal

The application seeks a Certificate of Lawful Development for the erection of a wooden gazebo. This would be located to adjacent to the rear and side boundary of the dwelling and within 2m of the curtilage.

The proposed gazebo would have a width of 6m, a depth of 3.68m and a maximum height of 2.5m. This would be served by a flat roof.

Consultations

None Required.

Representations

Not applicable.

Planning History

No relevant recorded planning history.

Assessment

The application seeks confirmation that the development is 'permitted development' under the Town & Country Planning (General Permitted Development) (England) Order 2015.

Class E.1 states that buildings etc incidental to the enjoyment of a dwellinghouse is permitted development provided that the development does not:

- b) the total area of ground covered by buildings, enclosures and containers 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);

- c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- d) the building would have more than a single storey;
- e) the height of the building, enclosure or container would exceed –
 - I. 4 metres in the case of a building with a dual-pitched roof,
 - II. 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - III. 3 metres in any other case;
- f) the height of the eaves of the building would exceed 2.5 metres;
- g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- h) it would include the construction or provision of a varandah, balcony or raised platform;
- i) it relates to a dwelling or a microwave antenna;
- j) the capacity of the container would exceed 3,500 litres;
- k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

The proposed gazebo would not exceed 2.5m in height and would not conflict with any of the criteria for Class E overall.

The gazebo would therefore comply with the requirements of Class E, of Part 1, Schedule 2 of the Town and Country Planning Act (General Permitted Development) (England) Order 2015, as amended.

Conclusion

It is concluded that the proposal complies with the requirements of Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation

That a certificate of Lawful Development be granted.

- 1) The proposal complies with the requirements of Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/10/2023	-	-	PROPOSED ELEVATIONS AND FLOOR PLAN
12/10/2023	-	-	LOCATION PLAN

<u>Signed Case Officer¹:</u>	<u>Reece Black</u>
<u>Signed Authorising Officer²:</u>	<u>K Foster</u>
<u>Date:</u>	<u>6 December 2023</u>

Informatives

- 1) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until December 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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