



**“LAWFUL DEVELOPMENT” : STATEMENT:** ref: aj/1171 ver 1: May 2022  
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**PROPOSED GARDEN OUTBUILDING/POOL HOUSE at:- 75 PINE GROVE , HATFIELD HERTS AL9 7BL**

**1.0 Introduction: -**

- 1.1 The application site, known as “75 PINE GROVE , HATFIELD HERTS AL9 7BL” “comprises: - a detached residential single family dwelling house with front forecourt and rear garden featuring outbuildings and car ports that have been previously acknowledged as being “Lawful” by Welwyn Hatfield Borough Council Planning Officer Ms. Lois -May Chapman in April 2022. The applicant is the freehold owner of the property.
- 1.2 The site does not lie within a designated Conservation Area and the property is not Grade Listed. (Refer to Fig .1 and submitted site location ref 1171/P/020)
- 1.3 This “Lawful Development” application for the proposed erection of a garden “pergola” Stylel outbuilding (fig 3) to house a swimming pool that is ancillary to the enjoyment of the donor dwelling house seeks to establish they will be Lawful and not require planning consent. It should be read in conjunction with existing and proposed drawings ref:1171/S/001; LD/001 & LD/002.

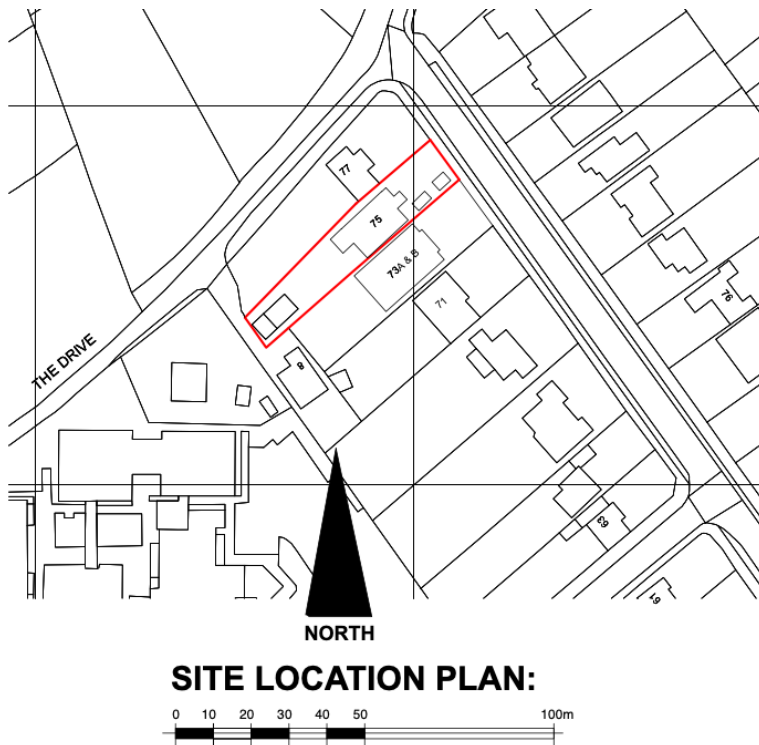


Fig.1. Site location plan. (refer to drawing 1171/P/020)

## 2.0 The Site/property

It is understood permitted development rights under the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) (“the Order”) as amended have not been removed by Article 4 direction



Fig.2. Aerial view of site and proposed outbuilding zone

## 3.0 Proposal

### Rear Garden Outbuilding (Permitted development Class “E”)

3.1 The proposed rear garden outbuilding/ pool house is considered to fall under permitted development consequent to the following facts: -

1. Its footprint does not exceed 50% of the garden area.
2. It is single storey set away in excess of 2.0m from the site boundary line
3. The roof design is neither dual or mono pitched as the constant overall height is totally flat and without any “eaves” overhang or gutter projection with a total height not exceeding 3.0m above the highest immediate ground level.
4. There is no verandah.
5. Permitted development rights have not been removed by Article 4 direction.
6. The outbuilding does not lie within the curtilage of a Listed Building.
7. The outbuilding is incidental to the enjoyment of the dwelling house and does not contain sleeping accommodation.

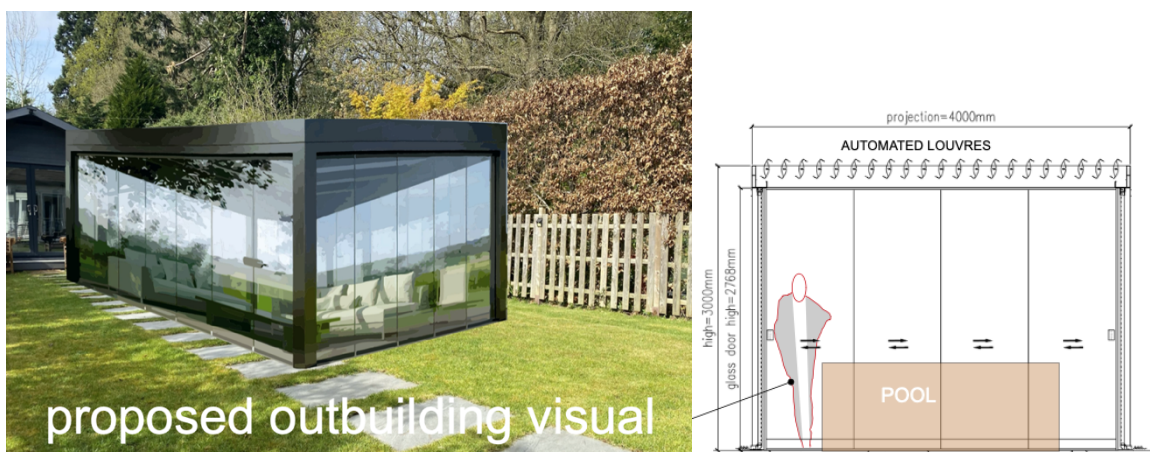


Fig.2. Proposed “Pergola” style outbuilding with retractable louvered flat roof and no “eaves”

3.2 It is understood consequent to a 2009 Planning Appeal that Class "E", part E.1(e), in conjunction with the wording of Class E, part E.1(d), implies that, for an outbuilding not within 2m of a boundary, the following maximum heights apply:

- Dual-pitch roof: Eaves restricted to height **2.5m** (E.1(e)) and ridge-line restricted to height **4m** (E.1(d)(i)).
- Mono-pitch roof: Eaves restricted to height **2.5m** (E.1(e)) and ridge-line restricted to height **3m** (E.1(d)(iii)).
- Flat roof: Level restricted to height **3m** (E.1(d)(iii)), whilst E.1(e) does **not** apply.

3.3 The corresponding 2015 version of class "E" reads:-

- Dual-pitch roof: Eaves restricted to height **2.5m** (E.1(f)) and ridge-line restricted to height **4m** (E.1(e)(i)).
- Mono-pitch roof: Eaves restricted to height **2.5m** (E.1(f)) and ridge-line restricted to height **3m** (E.1(e)(iii)).
- Flat roof: Level restricted to height **3m** (E.1(e)(iii)), whilst E.1(f) does **not** apply.

#### **4.0 Summary**

4.1 The proposals are considered to fall within the parameters of Class "E" general permitted development and as such does not require planning permission.

End

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