

## 69 Castelnau: Class E Permitted Development Assessment for proposed Garden Room & Sauna

Revised 18/12/2024

	Compliance notes
<p>CLASS E covers the provision of buildings and other development within the curtilage of a 'dwellinghouse'</p>	<p><i>69 Castelnau is a single 'dwellinghouse', as established by certificate of lawful use decision (ref. 24/0998/ES191) granted in April 2024 and therefore the property enjoys Class E permitted development rights to construct a garden building without the need for planning permission, subject to meeting the provisions of Class E outlined below. There are no known Article 4 directions for the property that are applicable to Class E permitted development.</i></p>
<p>Class E provides permitted development rights within the curtilage of a house for:</p> <p>(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or</p> <p>(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas</p>	<p><i>The purpose of the proposed garden room is for a home gym/studio, which is considered incidental to the enjoyment of the dwellinghouse under (a). The same applies to the proposed sauna cabin, which is also only intended for private use by the family occupants of the dwelling. Neither building would provide separate self-contained accommodation, as they would have no sleeping or kitchen/bathroom facilities. Please refer to the separate statement of use for more details.</i></p> <p><i>Neither building is a container for oil or LPG so (b) is not applicable.</i></p>
<p>E.1 Development is <b>not</b> permitted by Class E if –</p> <p>a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (change of use)</p>	<p><i>Not applicable. The house is an established residential dwellinghouse (C3) as noted above, and its use was not the result of conversion by virtue of the Classes noted at E.1(a).</i></p>

<p>(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)</p>	<p><i>The curtilage area of ground (other than the original dwellinghouse) is 787 square metres. The total area of land covered by additional extensions/buildings (with allowance made for works recently approved under householder application ref. 24/1144/HOT) is 112 square metres (or 14.23%). The garden room and sauna cabin combined will add 40 square metres of additional ground cover, increasing the overall area covered by additional extensions/buildings from 112 square metres to 152 square metres (or 19.31%). This is comfortably within the 50% figure allowed under Class E.</i></p>
<p>(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</p>	<p><i>The proposed buildings will be positioned on private garden grounds to the rear of the house, so this is not applicable. Please refer to the submitted site location plan (ref. CSTL/PD/01).</i></p>
<p>(d) the building would have more than a single storey</p>	<p><i>The proposed garden room and sauna cabin will both be single storey, as shown on the submitted drawing (ref. CSTL/PD/02).</i></p>
<p>(e) the height of the building, enclosure or container would exceed -</p> <p>(i) 4 metres in the case of a building with a dual-pitched roof,</p> <p>(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</p> <p>(iii) 3 metres in any other case</p>	<p><i>The proposed garden room will be located more than 2 metres from the curtilage boundary and will have a dual pitched roof. The height of the building will not exceed 4 metres from the ground level immediately adjacent to the building (e)(i).</i></p> <p><i>The proposed sauna cabin will be located within 2 metres of the boundary and the height of the building will not exceed 2.5 metres, measured from the ground level immediately adjacent to the building (e(ii)).</i></p> <p><i>Refer to submitted drawing (ref. CSTL/PD/02) for details and dimensions.</i></p>

<p>(f) the height of the eaves of the building would exceed 2.5 metres</p>	<p><i>The eaves height (where the sloping roof meets the outside wall of the building) of the proposed garden room with dual pitched roof will not exceed 2.5 metres from the ground level immediately adjacent to the building.</i></p> <p><i>This provision is not applicable to the Sauna cabin, as this building will have an overall height of 2.5 metres or less from the adjacent ground level as explained at (e) above, due to its closer proximity to the boundary.</i></p> <p><i>Refer to submitted drawing (ref. CSTL/PD/02) for details and dimensions.</i></p>
<p>(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building</p>	<p><i>69 Castelnau is not a statutory listed building so this is not applicable.</i></p>
<p>(h) it would include the construction or provision of a verandah, balcony or raised platform</p>	<p><i>Neither the garden room or sauna cabin include a verandah, balcony or platform element in the proposed design (as per submitted drawing ref. CSTL/PD/02).</i></p>
<p>(i) it relates to a dwelling or a microwave antenna</p>	<p><i>The proposed garden buildings are not an extension to the dwelling and do not include a microwave antenna.</i></p>
<p>(j) the capacity of the container would exceed 3,500 litres</p>	<p><i>The proposal relates to outbuildings, not containers so this is not applicable.</i></p>
<p>(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)</p>	<p><i>69 Castelnau is not a new dwelling house, so this is not applicable.</i></p>

<p>E.2 In the case of any land within the curtilage of the dwellinghouse which is within -</p> <ul style="list-style-type: none"> <li>(a) a World Heritage Site,</li> <li>(b) a National Park,</li> <li>(c) an area of outstanding natural beauty or</li> <li>(d) the Broads,</li> </ul> <p>development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.</p>	<p><i>The site is not understood to be within a World Heritage Site, National Park, AONB or the Broads.</i></p>
<p>E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse</p>	<p><i>69 Castelnau is situated on Article 2(3) land due to the Conservation Area designation. However, the buildings are proposed to the rear garden of the house and not on land between the side of the house and the curtilage boundary, as indicated on the submitted site location plan (ref. CSTL/PD/01), so this is not applicable.</i></p>
<p>E.4. For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.</p>	<p><i>As previously noted, the proposed outbuildings will only be used for a purpose incidental to the enjoyment of the dwellinghouse (i.e. home gym/studio and sauna). Please refer to the separate statement of use for more details.</i></p>