

**Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**

**REF NO:** AW/315/14/CLP

**LOCATION:** 228 Aldwick Road  
Aldwick

**PROPOSAL:** Application for a lawful development certificate for a proposed single storey rear extension to create kitchen and lounge

**DESCRIPTION OF APPLICATION**

Flat roof single storey rear extension with the installation of two lantern roof lights.

**DESCRIPTION OF SITE AND SURROUNDINGS**

Detached bungalow with rear dormer, conservatory on rear to be removed, detached garage on side. The property has brick elevations with a tiled roof and white window frames.

Residential road comprising a mixture of detached properties, single storey and two storey in appearance.

**RELEVANT SITE HISTORY**

|            |                                                                 |                       |
|------------|-----------------------------------------------------------------|-----------------------|
| BR/80/50/P | Conversion of garage to living room and provision of new garage | Approve<br>28-08-1957 |
|------------|-----------------------------------------------------------------|-----------------------|

**REPRESENTATIONS**

**Representations received:**

N/A

**Comments on Representations received:**

N/A

**CONSULTATIONS**

**Consultations responses received:**

N/A

**Comments on Consultation responses:**

N/A

**LEGISLATIVE BACKGROUND**

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted

or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against 2 criteria contained within The Town and Country Planning (General Permitted Development) Order 1995 (as amended), Part 1.

- Class A, which pertains to the enlargement, improvement, or other alteration of a dwellinghouse.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

## **CONCLUSIONS**

The proposed single storey rear extension is considered to fall under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The property known as 228 Aldwick Road is a detached bungalow. The proposed single storey extension is sited on the rear elevation within 2m of the eastern side boundary. It has a rear projection of 3.5m and the flat roof to a height of 3m with the installation of lantern roof lights to a maximum height of 4m.

Section (e) of Class A.1 of the General Development Order states that development is not permitted if the enlarged part of the dwellinghouse would have a single storey and

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any dwellinghouse, or
- (ii) exceed 4 metres in height.

Section (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

The proposed single storey rear extension complies with Section (e)(i)(ii) and Section (g) and is considered to be "Permitted Development", and as such does not require planning permission.

## **RECOMMENDATION**

### **PP NOT REQUIRED**

The Arun District Council hereby certify that on the 18th November 2014 the proposed development described in the Second Schedule to this certificate and edged black on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

The development as proposed falls under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) in that it relates to the enlargement, improvement or other alteration of a dwellinghouse.

By virtue of Section (e) of Class A1 of the General Development Order states that development is not permitted if the enlarged part of the dwellinghouse would have a single storey and

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3m in the case of any dwellinghouse, or  
(ii) exceed 4 metres in height.

Section (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

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The proposed single storey rear extension complies with Section (e)(i)(ii) and Section (g) and is considered to be "Permitted Development", and as such does not require planning permission.

#### **FIRST SCHEDULE**

The development is for a single storey rear extension as detailed on the submitted drawings:

Location 1:1250, Block 1:500.

Floor Drg No 70935/01 dt November 2014.

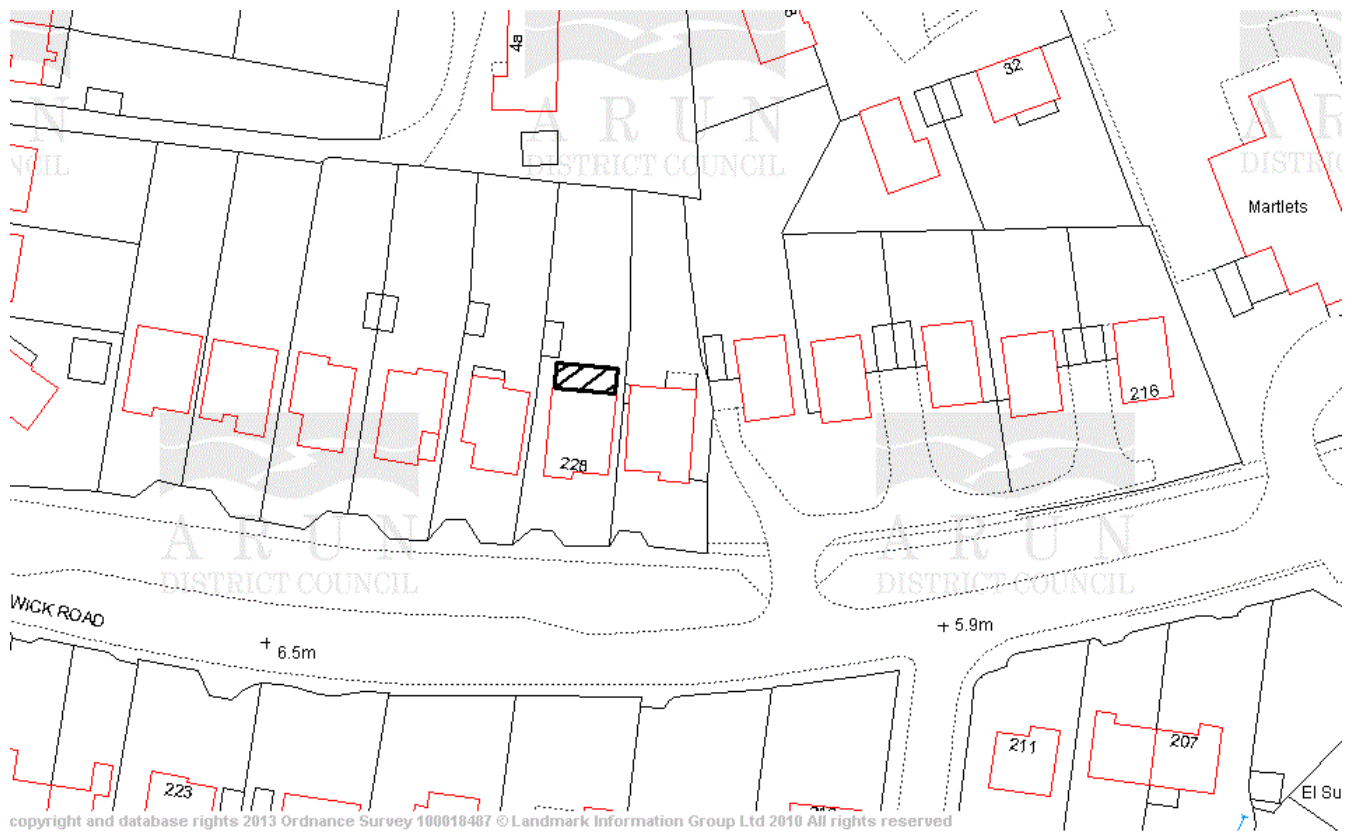
Elevations Drg No 70935/02 dt November 2014.

#### **SECOND SCHEDULE**

228 Aldwick Road, Aldwick, Bognor Regis, West Sussex, PO21 3QH.

#### **EXTENT OF USE**

The rear single storey extension measures approximately 9m in width, depth of 3.5m, flat roof to a height of 3m (with lantern roof lights maximum 4m in height).



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