

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

REF NO: AW/326/13/CLP

LOCATION: Craig Lea
1 Canon's Close
Bognor Regis

PROPOSAL: Application for a Lawful Development Certificate for a proposed rear infill extension to the dwelling and pitched roof.

DESCRIPTION OF APPLICATION

Proposed rear infill extension and removal of the existing flat roof that is in situ on this section of the property and replace with a pitch roof no higher than the other pitches on the property.

DESCRIPTION OF SITE AND SURROUNDINGS

Detached bungalow within a residential cul-de-sac comprising a mixture of properties. The bungalow has brick/rendered elevations with a red tiled roof.

RELEVANT SITE HISTORY

AW/211/13/CLP	Application for a Lawful Development Certificate for a proposed infill extension to the rear; remove the existing flat roof that is in situ on this section of the property and replace with a pitch roof no higher than the other pitches on the property.	PP Required 21-11-2013
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REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

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) (Amendment) (No. 2) (England) Order 2008, Part 1.

- Class A, which pertains to the enlargement, improvement, or other alterations to 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 proposal seeks permission for a single storey rear infill extension and replacement of roof over part of the flat roof section existing to the rear of the property and the proposed extension. As stated above, for an extension to be considered as permitted development it must comply with Part 1, Class A of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

Criteria A.1 (e) (i) (ii) are relevant and in the determination of this application.

- (e) 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 other dwellinghouse, or
- (ii) exceed 4 metres in height;

The proposed infill extension results in an overall width of 12.4m, depth of 2.7m with an overall height of 3.1m. As such the proposed extension and replacement roof is considered to comply with Part 1 Class A (e)(i) and (ii) and is considered to be "Permitted Development" not requiring the submission of a planning application.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 4th December 2013 the proposed development described in the First Schedule to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

The proposed rear extension is considered to fall under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 in that it relates to "the enlargement, improvement or other alteration

of a dwellinghouse).

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.

Craig Lea, 1 Canons Close is a detached property. The proposed rear infill extension and replacement of existing flat roof with pitched roof have an overall width of 12.4m, depth of 2.7m with a height of 3.1m. As such the proposed extension and replacement roof is considered to comply with Part 1 Class A (e)(i) and (ii) and is considered to be "Permitted Development" not requiring the submission of a planning application.

FIRST SCHEDULE

The development proposed is for a rear single storey infill extension with replacement roof over the flat roof extension as shown on the submitted drawings received on 4.12.13.

SECOND SCHEDULE

Craig Lea, Canons Close, Aldwick, West Sussex, PO21 4EB.

EXTENT OF USE

The replacement roof and rear single storey infill extension measures approximately 12.4m in width, depth of 2.7m with a maximum height of 3.1m.



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