

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

REF NO: A/24/14/CLP

LOCATION: 32 Mill Road
Angmering

PROPOSAL: Application for a Lawful Development Certificate for a proposed single storey rear extension

DESCRIPTION OF APPLICATION

The proposed works involve a single-storey extension to the rear of the dwelling.

DESCRIPTION OF SITE AND SURROUNDINGS

The site area is approximately 340 square metres. The site is occupied by a 2 storey dwelling which includes a conservatory to the rear in the position of the proposed extension. There have been no significant alterations or extensions to the original building.

RELEVANT SITE HISTORY

None

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 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1 Class A prescribes the degree of works involving the alteration and/or extension of a dwellinghouse that can be undertaken without the need to apply for Planning Permission. The development subject of this application will therefore be assessed against the criteria contained within this part of the order.

Class A (a) states that the cumulative amount of ground covered by any extensions should not exceed 50% of the total area of the site curtilage (not including the original dwellinghouse). Measurements taken from the enclosed 1:500 block plan show that the footprint of the proposed extension will occupy well within this threshold.

Class A (b) informs that extensions must not exceed the height of the existing dwelling. The proposed single-storey extension accords with this criterion.

Class A (c) states that the eaves height of the extension must not exceed those of the dwelling. The proposed extension conforms with this requirement.

Class A (d) informs that the extension should not project beyond any wall that fronts a highway and forms a principle or side elevation of the dwelling. The proposed extension will be made to the rear of the dwelling and, therefore satisfies this requirement.

Class A (e) maintains that an extension to a detached dwelling (such as the proposal) should not project more than 4 metres from the rear wall of the original dwelling. The proposed extension will project 2.5 metres from the rear elevation of the original dwelling and is therefore within acceptable parameters. This criterion also sets the maximum height of a single-storey extension as 4 metres. The roof of the highest part of the extension will be approximately 3.3 metres above ground level. This condition is therefore complied with.

Class A (g) stipulates that an extension within 2 metres of any site boundary should have an eaves height of no greater than 3 metres. The western elevation of the proposed extension will reach within approximately 1 metre of the western site boundary. The eaves height of the extension will be approximately 2.4 metres and abide by this requirement.

It has been demonstrated above that the extension falls within the parameters set out in The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1.

The proposed works therefore qualify as Permitted Development and a certificate of lawful development should be granted.

RECOMMENDATION

APPROVE

The Arun District Council hereby certify that on 10-03-2014 the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged black on the plan attached to this certificate, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

The proposed rear extension of the dwelling qualify as Permitted Development as per The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1.

FIRST SCHEDULE

The rear extension measures 5.44 metres in width by 2.5 metres in depth and approximately 3.3 metres at its highest point.

SECOND SCHEDULE

32 Mill Road, Angmering, West Sussex, BN16 4HT

EXTENT OF USE

Single-storey extension to the rear of the original dwelling.



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