

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

REF NO: **A/94/12/CLP**

LOCATION: Fairway
 Ham Manor Way
 Angmering

PROPOSAL: Application for a Lawful Development Certificate for a proposed use - rear extension

SITE AND SURROUNDINGS

Legislative Background

Principle

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 development described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that affect, and in any other case they shall refuse the application.

Site and Surrounding

Detached two storey thatched property, white painted elevations, with timber feather-edged cladding to gables. Corner site.

Description of Application

The certificate seeks confirmation that the construction of a 2 storey rear extension to the western elevation of the building would be considered as permitted development.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

RECOMMENDATION

PLANNING PERMISSION REQUIRED

- 1 The proposed side 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).

(h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side

elevation of the original dwellinghouse, and would:

- (i) exceed 4 metres in height,
- (ii) have more than one storey, or
- (ii) have a width greater than half the width of the original dwellinghouse;

While the frontage of the property facing Ham Manor Way is suggested as being a principal elevation, I find that the south-west elevation facing West Drive would be the principal elevation. It contains a central feature gable with a pair of sloping roof dormers and large principal windows. The proposed development therefore results in a two storey extension to a side elevation of the dwelling, as such the proposal is not permitted development under criteria i and ii of A.1 (h).

As such the proposal fails to comply in any form with the permitted development allowances; Planning Permission is therefore required.