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

REF NO: **EG/57/12/CLP**

LOCATION: 34 Downview Road
Barnham

PROPOSAL: Application for a Lawful Development Certificate for a proposed conversion of garage to bedroom

DESCRIPTION OF APPLICATION

Certificate of Proposed Lawfulness for conversion of garage to living accommodation.

DESCRIPTION OF SITE AND SURROUNDINGS

The site is a detached bungalow with a hipped, pitch roof located in a residential cul-de-sac within the built-up area boundary. The bungalow has a single storey front integral garage constructed from brick with a hipped, tiled roof and metal door on the front elevation. The front integral garage is sited towards the southwest corner of the plot and is visible from the street frontage.

RELEVANT SITE HISTORY

EG/32/03/	Proposed conversion of roofspace for master en-suite bedroom	ApproveConditionally 19-06-2003
EG/88/06/	Garage and porch extensions, alterations to rear windows in approved loft conversion.	ApproveConditionally 17-11-2006
EG/33/60	Bungalow and garage	Approve 21-12-1960

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 states:-
If, on an application under this section, the local planning authority is 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.

CONCLUSIONS

The application seeks a Certificate of Lawfulness for a proposed use at 34 Downview Road, Barnham. The certificate is sought for the conversion of an existing front integral garage to a bedroom. The converson of the garage would involve bricking up the existing garage door and inserting a window on the front elevation to replace the garage door.

The conversion of the front integral garage to a bedroom is considered to fall under 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. The provisions of Class A make no reference to the addition of doors or windows within such buildings, and as such, it is considered that the external alterations are permitted development.

The proposed conversion of the garage to a bedroom is therefore deemed to be permitted development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 15 August 2012 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, 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 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.

The proposed garage conversion is deemed to be 'Permitted Development' and, as such, does not require planning permission.

FIRST SCHEDULE
The proposed development is a single storey front integral garage conversion with internal and external alterations to form a bedroom.

SECOND SCHEDULE
34 Downview Road, Barnham, PO22 0EG

EXTENT OF USE
The garage conversion measures 4 x 5.5 x 4.4 metres.