

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

REF NO: FG/125/14/CLP

LOCATION: 29 Sea Lane Gardens
Ferring

PROPOSAL: Application for a lawful development certificate for a proposed single storey rear extension with pitched roof and mono pitched roof detail to existing flat roof to rear.

DESCRIPTION OF APPLICATION

The proposed extension projects 3.1 metres beyond the rear wall of the original dwelling house and measures 2.85 metres in width. Height to the roof ridge will be 3.9 metres. In addition, a false pitch will be formed over an existing flat roof extension, with height to the top measuring approximately 3.1 metres.

DESCRIPTION OF SITE AND SURROUNDINGS

The site is occupied by a detached bungalow dwelling. A single-storey flat roof extension has been added to the rear. No other significant alterations or extensions have been made.

RELEVANT SITE HISTORY

FG/110/57	Detached bungalow with garage	Approve 20-09-1957
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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) 1995, Part 1, Class A (as amended), 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 is for a single storey extension to the rear of a detached dwelling. The Town and Country Planning (General Permitted Development) Order (as amended) Article 3 Part 1 Class A.1

(a) states that the the cumulative amount of ground covered by any extensions should not exceed 50% of the total area of the curtilage (not including the original dwelling house).

Following measurement of the site area it has been ascertained that the footprint of the proposed extension, combined with that of the existing flat roof extension to the rear of the property, will occupy under 50% of the area of the curtilage.

(b) informs that extensions must not exceed the height of the existing dwelling.

The ridge height of the roof of all new elements will be set below that of the existing dwelling roof, in accordance with this criterion.

Class A.1 (c) states that the eaves height of the extension must not exceed those of the dwelling.

The eaves height of the proposed extension and roof addition match that of the existing roof and the works therefore conform with this requirement.

Class A.1 (d) stipulates 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 and roof addition will be made to the rear of the dwelling and, therefore satisfy this requirement.

Class A.1 (e)(i) and (ii) asserts 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 3.1 metres from the rear of the dwelling and, therefore, does not exceed the threshold. This criterion also sets the maximum height of a single-storey extension as 4 metres. The ridge height of the proposed extension will be 3.9 metres above ground level and is therefore acceptable.

The proposed addition to the flat roof extension will project approximately 3.8 metres towards the rear of the original dwelling and its roof top will be at approximately 3.2 metres.

Class A.1 (f) is not applicable as it relates to extensions of more than one storey only. The proposal is for a single-storey extension and roof addition.

Class A.1 (g) maintains that an extension within 2 metres of any site boundary should have an eaves height of no greater than 3 metres.

The proposed rear extension will be within 2 metres of the western site boundary. At 2.5 metres, the eaves height of the proposal is within this parameter.

(h) relates to side extensions and is therefore not a matter for consideration for this application.

(i) concerns provision of a balcony, antenna or chimney and is also not applicable.

Conditions to any Permitted Development are imposed under Class A.3. Only criterion (a) is applicable to this application. This condition requires external materials used for any extension to be similar to those of the existing dwelling. It is stated on the plans accompanying the application that matching materials will be used in the construction of the extension.

It has been demonstrated above that the proposed 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 Class A and, as such, planning permission is not required as the extension qualifies as Permitted Development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 12th of September 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 extension and roof addition accord with the criteria set out in The Town and Country Planning (General Permitted Development Order 1995 (as amended) Article 3 Part 1 Class A and, as such, do not require planning permission.

FIRST SCHEDULE

The rear extension projects 3.1 metres beyond the rear wall of the original dwelling house and measures 2.85 metres in width. Height to the roof ridge is 3.9 metres.

The additional mono-pitch roofing will be added to the existing flat roof extension to the rear of the property and will measure approximately 3.1 metres at ridge height.

SECOND SCHEDULE

29 Sea Lane Gardens, Ferring, West Sussex, BN12 5EQ

EXTENT OF USE

Single-storey extension to the rear. Addition of mono-pitched roof to the rear.



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