

Letter of Support

Lawful Development Certificate application for:
17 The Poplars, Ferring, West Sussex BN12 5QL
To build a single storey extension in the back garden.

17th February 2020

Point One: Designation of 17 The Poplars as a detached property.

Lawful development stipulates that in order to build a single storey extension 4m out from the back wall of a property, that property must be deemed as detached. The bungalow at 17 The Poplars is connected via a former outbuilding to the neighbouring bungalow at 18 The Poplars. There has already been a successful Lawful Development Certificate granted for 18 The Poplars, which was submitted on 29/01/2010 (reference FG/14/10/CLP). In the Conclusion section of Arun District Council's decision letter for that application it states:

"It is noted that the property is linked to the neighbouring building by way of a former out building which has been connected to the main dwelling by way of a flat roof porch. The meaning of 'detached house' is not defined within the General Permitted Development Order, however, it is considered that the property is 'linked' rather than 'attached' to the neighbouring property and, therefore, should be regarded as a detached dwelling for the purpose of the submitted application."

This paragraph refers to the out building that links 17 and 18 The Poplars (this link building is shown on the attached Block plan and indicated by the Party Wall in the bathroom shown on the attached Proposed Floor Plan). From this it should follow that if 18 The Poplars is deemed a detached dwelling then so should 17 The Poplars and therefore that it should be permissible to build an extension out to a maximum of 4m from the back wall of the property.

Point Two: Definition of the Curtilage of 17 The Poplars

In the pre-application advice I received from the Arun District Council compliance officer, Ms Lisa Coney, we looked extensively into the question of the curtilage of 17 The Poplars and whether it extends to the full area of the garden. We could find no evidence of a date when the status of the property changed from holiday to residential or when the status of the back garden changed to residential garden (the original dwelling was constructed in 1926). It was therefore considered likely that these changes occurred pre-1948 and consequently that lawful use of the land (indicated by the red perimeter on the block and location plans) would form part of the curtilage of the dwelling. In addition there were no records indicating that any permitted development rights have been removed from the property. On this basis, we determined that the curtilage extends as shown on the block and location plans and Ms Coney advised I go ahead with this application.

There have also been precedents with other properties in the Poplars estate that have been similarly extended into their back gardens. The nearest such extension is at 19 The Poplars (the neighbour on the other side of 18 The Poplars, shown on the attached Block Plan). Here there is a 3.7m high pitch-roofed extension, stretching back a similar distance to the proposed extension (see planning application FG/160/10).

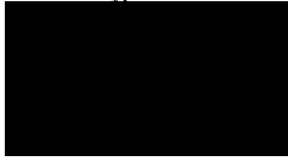
Point Three: Proposed size and appearance of the extension

Ms Coney additionally advised that the proposed extension must blend in with the style of the existing buildings. These are a mixture of white painted render and white painted cement board joined by wooden battens. The proposed extension will therefore be finished in a style that matches these painted finishes and the flat roof of the proposed extension will also match the colour of the flat roof on the kitchen and utility room of the existing building.

The extension is proposed to be no more than 2.8m high at its highest point (shown in the attached proposed South Elevation), no more than 4m wide (externally) and no more than 4m deep (externally - as shown on the proposed floor plan). The external footprint will be 15 m² in area.

The extension will not obstruct any access to the existing building or any other building and it cannot be seen from the road or any public footpath. The back garden itself is enclosed by a 6ft high wooden fence.

Yours sincerely,



Dr John Thornton