

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

REF NO: FG/68/15/CLP

LOCATION: Florida
Florida Road
Ferring

PROPOSAL: Lawful development certificate for a proposed rear extension.

DESCRIPTION OF APPLICATION

The application relates to a proposed single storey rear extension.

DESCRIPTION OF SITE AND SURROUNDINGS

The application site comprises a detached two storey dwelling with timber clad elevations and a thatched roof. The site is generally flat and comprises a corner plot with elevations facing onto Ocean Drive and Florida Road. The character of the locality is predominantly residential and is comprised of primarily detached properties of various designs and styles.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

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) Order 2015, Schedule 2, 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 2015, Schedule 2, Part 1, Class A is considered to be relevant to the single storey rear extension.

Class A (b) states that 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). It is considered based on the submitted plans and site observations that this criteria is met.

Class A (c) refers to development not exceeding the highest part of the existing roof. The extension is single storey and so will not exceed the existing roof height.

Class A (d) informs that the eaves height will not exceed the height of the eaves of the existing dwellinghouse - the technical guidance advises that where the property features multiple eaves heights this should be the highest eaves level. The single storey extension has eaves that match those of the property and so this criteria is considered to be met.

Class A (e) states that development should not extend beyond a wall which (i) fronts a highway and (ii) forms either the principal elevation or a side elevation of the original dwellinghouse. The extension is situated to the rear and does not front a highway and so this criteria is met.

Class A (f) specifies that the extension will be single storey and does not exceed 4m in length in the case of a detached property such as this. The proposed extension measures 2.8m in length and so complies with this requirement.

Class A (g) is not applicable to this proposed extension.

Class A (h) relates to extensions of more than one storey which is not applicable to this form of development.

Class A (i) refers to extensions being within 2m from the boundary of the curtilage of the dwellinghouse and the height of the eaves of the development not exceeding 3m. The extension will be situated 1m away from the boundary but the eaves will measure 2m in height and as such the proposed development complies with this limitation.

Class A (j) restricts side extensions to not exceeding 4 metres in height; having more than one storey; or having a width greater than half the width of the original dwellinghouse. The proposed rear extension is considered to also constitute a side extension but complies the limitations imposed.

Class A (k) is not relevant to the proposed development the subject of this Certificate of

Lawfulness.

A condition of the build under A.3 is that the materials used in any exterior work shall be of a similar appearance to those used in the exterior of the original property and as such the proposed white shiplap would need to match in appearance that already present on the dwelling.

The proposed single storey rear extension is therefore considered to be "permitted development" in accordance with the limitations imposed under Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) Order 2015.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 10/04/2015 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 reason:-

The proposed single storey rear extension to the dwellinghouse accords with the parameters set out in the Town and Country Planning (General Permitted) Development Order 2015 under Schedule 2, Part 1 Classes A and as such does not require planning permission.

FIRST SCHEDULE

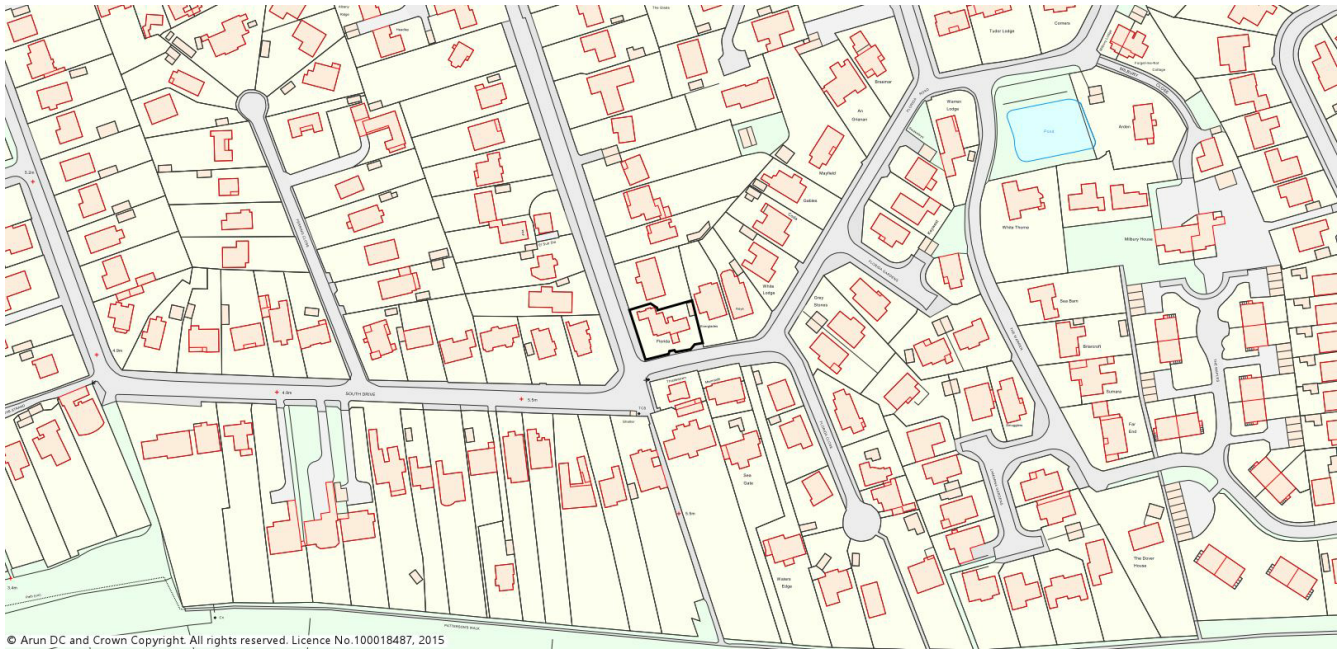
The development consists of the construction of a single storey rear extension measuring 2.860m x 2.980m with a maximum roof height of 3.5 metres.

SECOND SCHEDULE

Florida, Florida Road, Ferring, West Sussex, BN12 5PE.

EXTENT OF USE

The construction of a single storey rear extension to the rear of the original dwellinghouse.



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