

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

REF NO: FP/112/12/CLP

LOCATION: 61 Downview Road
Felpham

PROPOSAL: Application for Certificate of Lawfulness for a Proposed Use - Two storey rear extension.

DESCRIPTION OF APPLICATION

The application seeks to demolish the rear single storey extension and construct a two storey rear extension.

DESCRIPTION OF SITE AND SURROUNDINGS

Detached two storey property with single storey extension on rear which is to be demolished, detached garage on south side boundary. The property has white painted brickwork, red tile hanging on upper level, red tiled roof with white window frames. Property is sited within a residential road where there are a mixture of detached properties of various styles and designs.

RELEVANT SITE HISTORY

BR/31/52	Detached house	ApproveConditionally 01-04-1952
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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

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 effect; and in any other case they shall refuse the application.

CONCLUSIONS

The existing single storey extension on the rear is to be demolished and the application is for a two storey rear extension. It measures approximately 9.3m in width, 2.5m in depth with a maximum height of 7.5m. The height of the eaves within 2m of the boundary will not exceed 3m in height.

The proposed development 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).

Section (f) the enlarged part of the dwellinghouse would have more than one storey and -

- (i) extend beyond the rear wall of the dwellinghouse by more than 3 metres, or
- (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Section (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

61 Downview Road is a detached dwelling. The two storey extension will extend beyond the rear wall of the dwellinghouse by 2.5m and the rear boundary of the curtilage of the dwellinghouse is approximately 32m away.

The proposed extension will be sited 1.5m from the northern side boundary of the curtilage of the dwellinghouse. The proposed height of the eaves within 2m of the boundary are 3m in height.

The proposed extension is considered to comply with the above Sections (f) & (g) and is considered to be "Permitted Development", and as such does not require planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 29th June 2012 the development described in the Second Schedule to this certificate and edged black on the attached plan was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:

The development as proposed falls 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.

By virtue of Section A.1(f)(i) the enlarged part of the dwellinghouse would have more than one storey and would not extend beyond the rear wall of the dwellinghouse by more than 3

metres, and (ii) would be more than 7 metres from the rear boundary of the site.

By virtue of Section A.1(g) the enlarged part would be within 2 metres of the northern side boundary of the curtilage of the dwellinghouse but the proposed height of the eaves at this point would not exceed 3 metres in height.

The proposed two storey extension is deemed to be "Permitted Development" and as such, does not require planning permission.

FIRST SCHEDULE

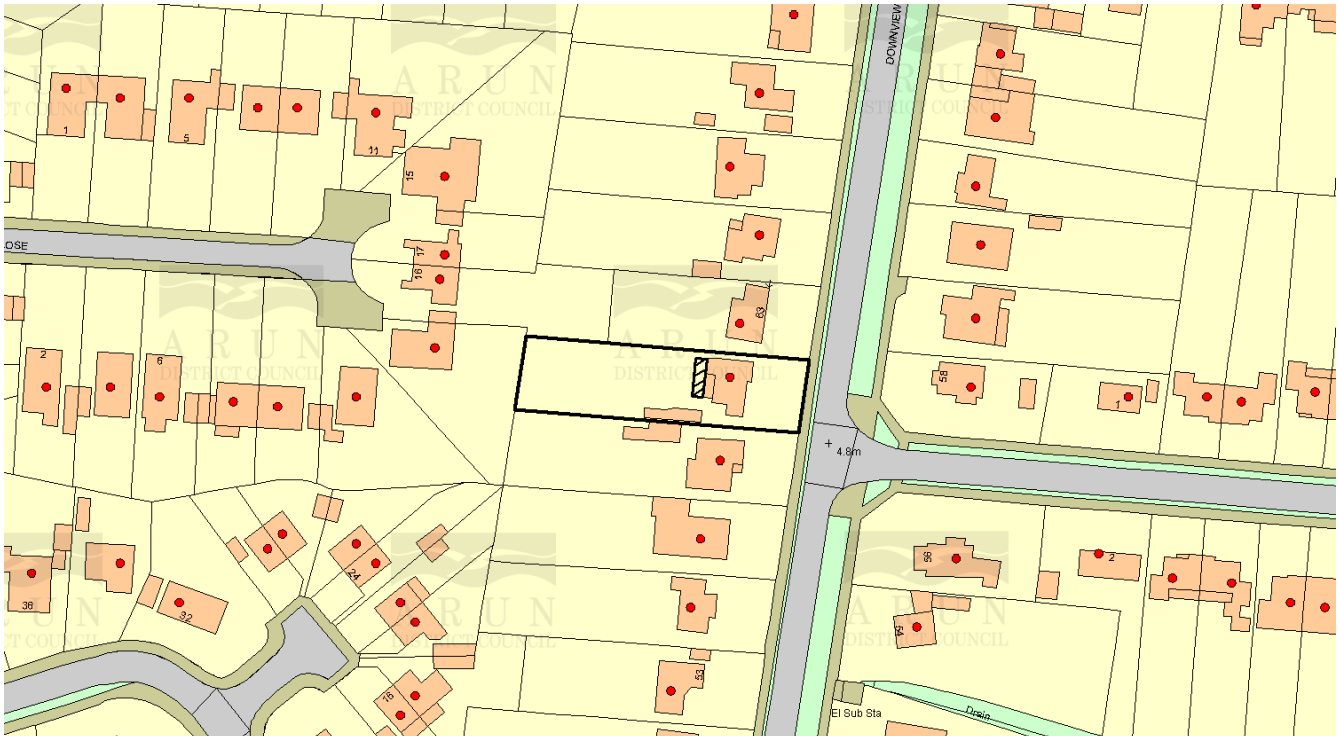
The development proposed is for a two storey rear extension, as detailed on the submitted Drawings Floor Plan 3/13/03, Elevations 3/13/04 'A', Roof 3/13/05.

SECOND SCHEDULE

61 Downview Road, Felpham, West Sussex, PO22 8JA.

EXTENT OF USE

The two storey extension measures approximately 9.3m in width, 2.5m in depth with a maximum height of 7.5m. The height of the eaves within 2m of the northern side boundary is 3m in height.



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