

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development**REF NO:** FP/200/20/CLP**LOCATION:** 15 Blakes Road
Felpham
PO22 7EE**PROPOSAL:** Lawful development certificate for a proposed single storey pitched roof side extension, proposed single storey flat roofed rear extension, proposed two storey rear extension with pitched roof (over existing roof terrace) and alteration of fenestration to rear elevation**DESCRIPTION OF APPLICATION**

Application for a Lawful development certificate for a proposed single storey pitched roof side extension, proposed single storey flat roofed rear extension, proposed two storey rear extension with pitched roof (over existing roof terrace) and alteration of fenestration to rear elevation.

RELEVANT SITE HISTORY

FP/199/20/PDH Notification under extended permitted development rights for 2 no. single storey rear extensions measuring 5m from beyond the rear wall of the original dwelling house, with maximum height of 2.8m and eaves height of 2.65m.

FP/197/20/HH Two storey extension to front elevation, extension over rear terrace, single storey side and rear extension and loft conversion with rear dormer window and two front facing dormer windows. Rear facing roof terrace. Alterations to the vehicular access

FP/191/20/PDH Single storey flat roof rear extension with covered link. Two storey flat roof rear extension (over existing roof terrace)

REPRESENTATIONS

Representations Received:**CONSULTATIONS****Consultations Responses Received:****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 the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended).

- 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.

CONCLUSION

The proposed rear extension is considered to fall under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Class A -The enlargement, improvement or other alteration of a dwellinghouse

Development not permitted

A.1 Development is not permitted by Class A if

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would extend beyond a wall which

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(g) For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(h) the enlarged part of the dwellinghouse would have more than a single storey and

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse.

i) 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;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

(k) it would consist of or include

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Conditions

A.3 Development is permitted by Class A subject to the following conditions

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

SUMMARY

The property known as 15 Blakes Road is a detached property, is not a Listed Building or situated within a Conservation Area. The proposed extension is intended to be constructed from materials which match in appearance those of the existing dwellinghouse.

There are no Permitted Development Restrictions covering the property.

The single storey rear extensions and single storey side extension is considered to comply with the relevant sections of the GDPO and is considered permitted development and as such does not require the submission of a full planning application.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 15/10/2020 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 in 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 development complies with limitations of Schedule 2 Part 1 Class A of the General Permitted Development Order 2015.

FIRST SCHEDULE

Construction of a single storey rear and side extensions. This is shown on the following plans:

- Proposed North and South Elevations Dwg No. C.1063-08 Rev LD
- Location Plan and Site Plan Dwg No. C.1063-00 Rev LD
- Proposed Front and Rear Elevations Dwg No. C.1063-07 Rev LD
- Proposed Roof and Attic Plan Dwg No. C.1063-06 Rev LD
- Proposed Ground and First Floor Plans Dwg No. C.1063-05 Rev LD

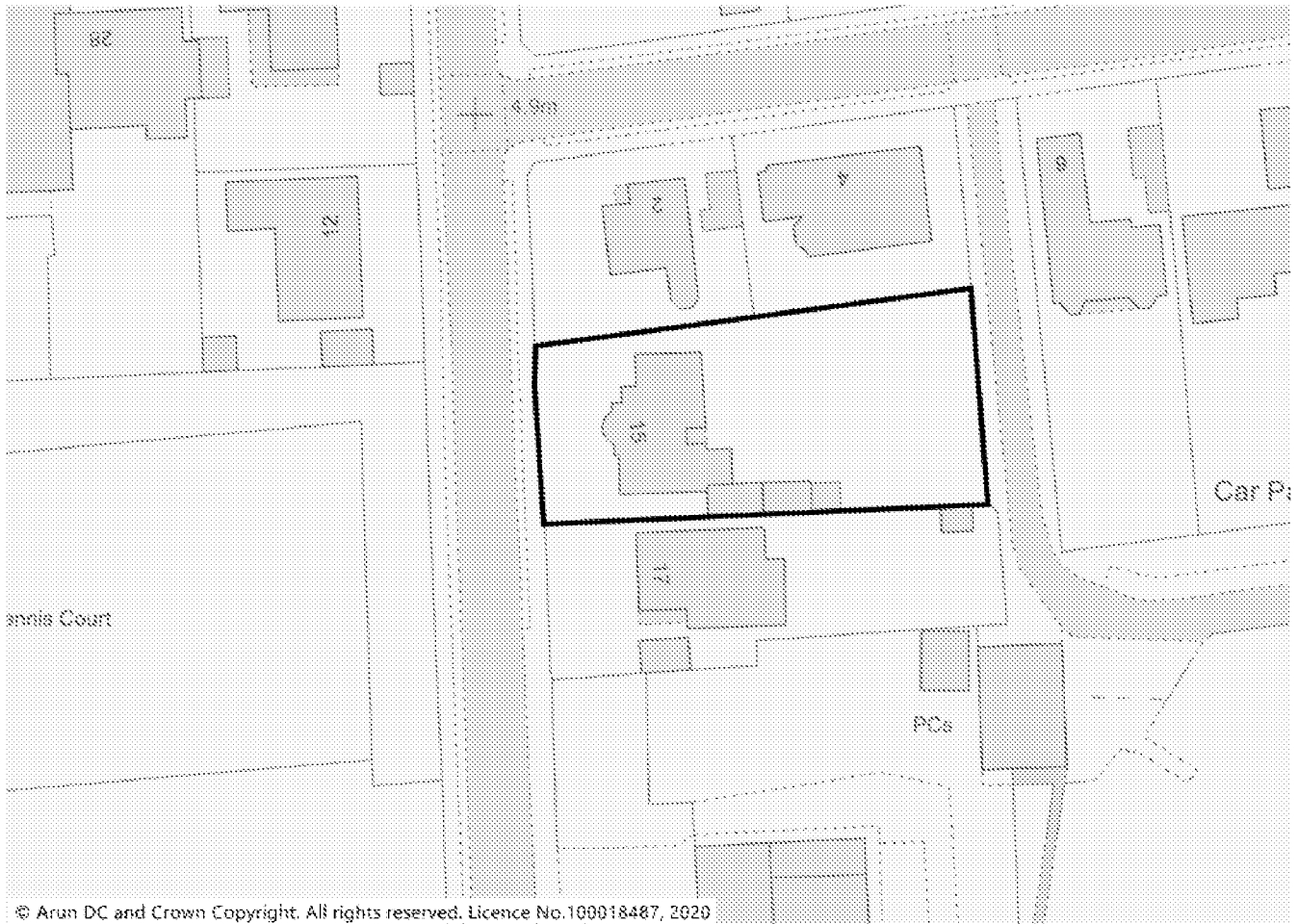
SECOND SCHEDULE

15 Blakes Road, Felpham, West Sussex PO22 7EE

EXTENT OF USE

Lawful development certificate for a proposed single storey rear and side extensions.

FP/200/20/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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