

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

REF NO: FP/35/13/CLP

LOCATION: 1 The Esplanade
Felpham
Bognor Regis

PROPOSAL: Application for Certificate of Lawfulness for a Proposed Use - Rear single storey extension

DESCRIPTION OF APPLICATION

The proposed single storey extension on the rear measures approximately 7.3m in width, depth of 3m with a maximum height of 3.5m, eaves height of 2.5m.

DESCRIPTION OF SITE AND SURROUNDINGS

Detached two storey property with conservatory on rear which is to be demolished. The property has rough rendered walls painted white, red tiled roof with red tile hanging on upper level and white window frames.

The property fronts onto the Esplanade. To the rear of the site are flats, to the west is a cafe and surrounding area is a mixture of detached properties of various styles and designs.

RELEVANT SITE HISTORY

No Relevant History

REPRESENTATIONS

Representations received:

Not applicable

Comments on Representations received:

Not applicable

CONSULTATIONS

Consultations responses received:

Not applicable

Comments on Consultation responses:

Not applicable

LEGISLATIVE BACKGROUND

Principle

Section 192(2) of the Town & 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 application is for a single storey rear extension (existing conservatory to be removed). It measures approximately 7.7m in width, depth of 3m with a maximum height of 3.5m, eaves height of 2.5m.

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 (e) of Class A.1 states that development is not permitted if 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 dwellinghouse, or
- (ii) exceed 4 metres in height.

Section (g) of Class A.1 states that the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the eaves of the enlarged part would exceed 3 metres.

1 The Esplanade is a detached property and the proposed rear extension will be sited less than 2 metres from the boundary and measures approximately 7.7m in width, depth of 3m and 3.5m in height (eaves height 2.5m).

The proposed extension 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 the 27th February 2013 the development described in the Second Schedule to this certificate and edged black on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

The development as proposed falls under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (Amendment) (2) (England) Order 2008 in that it relates to the enlargement, improvement or other alteration of a dwellinghouse.

By virtue of Section A.1 (e) (i) the enlarged part of the dwellinghouse would have a single storey and would not extend beyond the rear wall of the dwellinghouse by more than 4 metres.

(ii) exceed 4 metres in height.

By virtue of Section A.1 (g) the enlarged part of the dwellinghouse would be within 2

metres of the boundary of the curtilage of the dwellinghouse, and the eaves of the enlarged part would exceed 3 metres.

The proposed extension by virtue of Class A.1 (e)(i)(ii) and (g) is deemed to be "Permitted Development" and as such, does not require planning permission.

FIRST SCHEDULE

The development proposed is for a single storey rear extension as detailed on the submitted drawing DS/FREEMAN/01 dt 10.02.13.

SECOND SCHEDULE

1 The Esplanade, Felpham, Bognor Regis, West Sussex, PO22 7AF.

EXTENT OF USE

The rear single storey extension measures approximately 7.7m in width, depth of 3m with a maximum height of 3.5m, eaves height 2.5m.



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