

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

REF NO: P/24/18/CLP

LOCATION: 57 Harbour View Road
Pagham

PROPOSAL: Lawful development certificate for the proposed replacement of felt roof, supporting timbers, decking, framework & wooden products within garage.

DESCRIPTION OF APPLICATION

The proposal is to raise the eaves of the garage and build a hipped roof on top, reaching to the existing peak of the main pitched roof of the dwelling.

DESCRIPTION OF SITE AND SURROUNDINGS

Predominantly flat site comprising of a brick & concrete pan tiled bungalow which has a number of extensions to the front and rear with an open plan front garden. The property has an attached flat roof garage and driveway located on the northern side of the dwelling along the boundary of the property. Close boarded fencing to the rear garden at 2m in height.

RELEVANT SITE HISTORY

None relevant to this application.

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 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.

CONCLUSIONS

The proposal seeks permission for a single storey garage roof extension. As stated above, for an extension to be considered as permitted development it must comply with Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Schedule 2, Part 1, Class A;

The proposed garage roof extension fails to comply with criteria d) and i) of Class A in that the proposal raises the eaves height of the garage above the eaves height of the main dwelling from 2.3 metres in height, (the height of the main dwellings eaves is 2.3 metres in height also) to 3 metres in height and the proposed extension would be within 2 metres of the boundary of the dwellinghouse and would be higher than 4 metres. The peak of the new hipped roof would be approx. 5.5 metres where it meets the existing pitched roof ridge.

The site is not located on article 2(3) land and is not a Listed Building. There is no restriction on permitted development rights by means of a condition or Direction.

The proposed single storey rear extension to the rear of the dwelling is therefore not considered to accord with the limitations of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and not considered to be 'permitted development'.

The proposal therefore requires an application for planning permission should the applicant's wish to proceed with the scheme.

RECOMMENDATION

PP REQUIRED

The Arun District Council hereby certify that on 14-03-2018, the proposed garage roof extension 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 not have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reason:-

The proposed structure does not comply with the limitations of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) because it would fail to comply with part d) and i) as it would have an eaves

height above that of the eaves height of the existing dwelling and would have a roof height of 5.5 metres within 2 metres of the boundary.

FIRST SCHEDULE

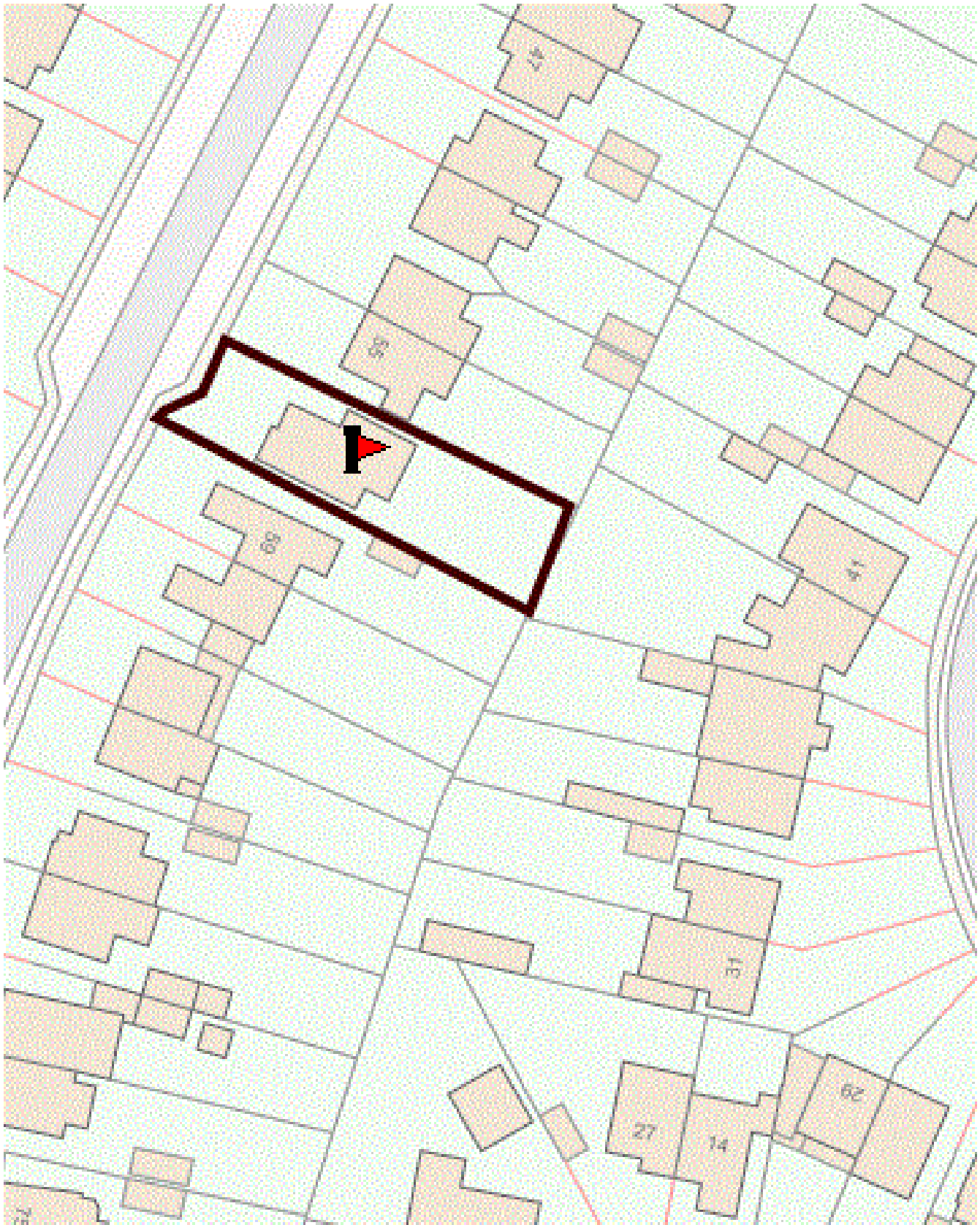
The development proposed is a single storey garage roof extension with a hipped roof side extension as shown on the submitted drawings "Proposed Roof Layout 1, Proposed Roof Layout 2, Plan and Block Plan Photo montage received on the 3rd March 2018.

SECOND SCHEDULE

57 Harbour View Road, Pagham, West Sussex, PO21 4RQ

EXTENT OF USE

A proposed single storey garage roof extension on the northern side of the dwelling with an eaves height of 3 metres and a hipped roof height of 5.5 metres.



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487.