

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

REF NO: R/15/13/CLP

LOCATION: 32 Tennyson Avenue
Rustington

PROPOSAL: Application for a Certificate of Lawfulness for a proposed new rear extension to provide garden room/bedroom, with side extension/rear extension for enlarged dinning/kitchen with utility room and shower room.

DESCRIPTION OF APPLICATION

Application for lawful development certificate for single storey rear extensions.

DESCRIPTION OF SITE AND SURROUNDINGS

Detached single storey dwelling, sited within a residential street.

RELEVANT SITE HISTORY

R/117/91	Single storey extension at rear	Approve Conditionaly 19-08-1991
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REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

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 affect, and in any other case they shall refuse the application.

CONCLUSIONS

The application is for single storey extensions to the rear of the dwellinghouse.

The proposed side extension 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).

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.

The proposed addition extending to the rear of the existing garage is some 8 metres in depth and is therefore contrary to this criteria.

As such the proposal fails to comply in any form with the permitted development allowances; Planning Permission is therefore required.

RECOMMENDATION

PP REQUIRED

The Arun District Council hereby certify that on 28th August 2012 the proposed extension would not constitute "Permitted Development" of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 under Schedule 2 Part 1 Class A.1 or A.3:

The proposed side extension 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).

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.

The proposed addition extending to the rear of the existing garage is some 8 metres in depth and is therefore contrary to this criteria.

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