

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

REF NO: R/70/14/CLP

LOCATION: 57 North Lane
Rustington

PROPOSAL: Application for a lawful development certificate for a proposed rear extension

DESCRIPTION OF APPLICATION

The proposed extension measures 4 metres in width and projects 4 metres beyond the rear elevation of the original dwelling. Height to roof ridge is approximately 4 metres.

DESCRIPTION OF SITE AND SURROUNDINGS

The site is occupied by a detached chalet style dwelling. Extensions have been made to the frontage and the roof in the past.

RELEVANT SITE HISTORY

R/217/10/ Extension/alteration.

ApproveConditionally
10-11-2010

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

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 2 criteria contained within The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1.

- 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 is for a single storey extension to the rear of a detached dwelling. The Town and Country Planning (General Permitted Development)(Amendment)(No. 2)(England) Order 2008 Article 3 Part 1 Class A (a) states that the the cumulative amount of ground covered by any extensions should not exceed 50% of the total area of the curtilage (not including the original dwelling house). Following measurement of the site area it has been ascertained that the footprint of the proposed extension and the previously constructed front extension, will occupy under 50% of the area of the curtilage.

Class A (b) informs that extensions must not exceed the height of the existing dwelling. The ridge height of the roof of the proposed extension will be set below that of the existing dwelling roof, in accordance with this critetion.

Class A (c) states that the eaves height of the extension must not exceed those of the dwelling. The eaves height of the proposed extension matches that of the existing roof and the works therefore conform with this requirement.

Class A (d) stipulates that the extension should not project beyond any wall that fronts a highway and forms a principle or side elevation of the dwelling. The proposed extension will be made to the rear of the dwelling and, therefore satisfies this requirement.

Class A (e) asserts that an extension to a detached dwelling (such as the proposal) should not project more than 4 metres from the rear wall of the original dwelling. It is noted that the dwelling has been extended in the past. However, the rear wall of the dwelling as present is the original rear wall. The proposed extension will project 4 metres from the rear of the dwelling and, therefore, does not exceed the threshold. This criterion also sets the maximum height of a single-storey extension as 4 metres. The ridge height of the proposed extension will be 4 metres above ground level. The proposed works therefore meet the terms of the criterion.

Class A (f) is not applicable as it relates to extensions of more than one storey only. The proposal is for a single-storey extension.

Class A (g) maintains that an extension within 2 metres of any site boundary should have an eaves height of no greater than 3 metres. The proposed extension will be within 2 metres of the

northern site boundary. Eaves height will be below 3 metres and therefore within the threshold.

It has been demonstrated above that the proposed extension falls within the parameters set out in The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1 Class A and, as such, planning permission is not required as the extension qualifies as Permitted Development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 28th of April 2014 the use hereby described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged boldly on the plan attached to this certificate was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

The proposed extension and formation of a ground floor window opening accord with the criteria set out in The Town and Country Planning (General Permitted Development)(Amendment) (No. 2) (England) Order 2008 Article 3 Part 1 Class A and, as such, do not require planning permission.

FIRST SCHEDULE

This certificate is granted based on information and measurements taken from the plans accompanying this application, copies of which are kept on record. The extension shown measures 4 metres in width by 4 metres in depth and 4 metres to roof ridge height.

SECOND SCHEDULE

57 North Lane, Rustington, West Sussex, BN16 3PP

EXTENT OF USE

The development involves the erection of a single-storey extension to the rear of the original dwelling.



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.