Development Management - Delegated Officer Report

Application Number: AWDM/0525/22 Recommendation – REFUSE

Site: 4 Old Rectory Gardens, Southwick, West Sussex

Proposal: Householder application for permitted development for prior approval for single storey extension to rear of property measuring 4.8m from rear wall of the original house, maximum height 3.8m and height of eaves of the extension 2.95m

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal seeks prior approval for a single storey rear extension. The proposed extension is considered against the Town and Country Planning (General Permitted Development) (England) order 2015. The application site is a semi detached, two storey dwelling within a street of similar properties in Southwick.

Representations

None received

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015

Consideration

As existing there is a lean to brick and tile projection to the rear and a conservatory extension, both of which would be demolished to make way for the proposed extension. The Planning Authority has the view that the lean to projection is original to the property, albeit it is evident from photos and the agent's correspondence, that it has been altered previously. Google Maps images show that other properties in the street have the same projection, built as original to the house. Therefore the proposed extension would not be built from the original rear wall of the property but would extend from the side wall of the original house and would be greater than half the width of the original house and would therefore not constitute permitted development. Therefore prior approval could not be granted in this case, and full planning permission is required for the proposed extension.

Legal advice has been sought by officers in the past with regards to similar applications and the advice is : - "On this basis, irrespective of any demolition,

any extension should be measured against the original dwelling house, not what the applicants attempt to provide as an original dwelling house through manipulation and interpretation of the GDPO."

In this case there was a projection there previously and it has been altered subsequently so having regard to the legal advice received this application must be refused as being invalid.

Recommendation

REFUSE
The proposed extension would extend from the original side wall of the dwelling house and would be greater than half the width of the original dwelling house and therefore does not constitute permitted development under Schedule 2, Part 1, Class A of the General Permitted Development Order 2015, as amended.

Case Officer: Hannah Barker Date: 3rd May 2022

Authorised by: Peter Barnett Date: 3 May 2022