Expiry Date - 26/03/2020

Development Control – Delegated Officer Report

Application Number: AWDM/0170/20 Recommendation – REFUSE

Site: 37 Parklands Shoreham-By-Sea West Sussex BN43 6NN

Proposal: Application for Lawful Development Certificate for proposed single storey rear extension.

Site visit: N

Proposal, Site and Surroundings

The applicant has proposed the creation of a single-storey rear extension to the north elevation, on a semi-detached dwelling in the ward of Southlands. The site does not lie within a Conservation Area nor is it affecting the setting of a Listed Building. There are no Tree Protection Orders in effect on or surrounding the site that would be affected by the proposal.

The dwellinghouse was permitted under application SU/144/83/TP/12358, which contains a restrictive condition preventing the proposed development to be undertaken under deemed consent. Condition 10 states:

"Notwithstanding the provision of the Town and Country Planning General Permitted Development Orders 1977/81, the proposed dwellinghouses shall not be extended and no garage erected within their curtilages without specific planning permission from the Local Planning Authority"

Reason: In the interest of residential amenity.

Recommendation

Refuse Certificate of Lawfulness for Proposed Development

Reasons for Recommendation

The proposal constitutes 'development' as defined in Section 55 of the Town and Country Planning Act 1990, but is not permitted under the provisions of Part 1, Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, because of the presence of a planning condition on the original permission for the property which prevents future extensions without specific planning permission from the Local Planning Authority.

Case Officer: *Benjamin Marshall* Date: 26th March 2020

Authorised by: Peter Barnett Date: 26 March 2020