expires 29/10

Development Control – Delegated Officer Report

Application Number: ADC/0344/09 **Recommendation – Permit Application**

Site: **52 Hawkins Road Shoreham-by-Sea West Sussex BN43 6TH**

Proposal: **Application for a Certificate of Lawfulness for a proposed single storey rear extension**

The Application

The application site is the southern half of a pair of semi-detached dwellings located on the western side of Hawkins Road, Shoreham.

This application seeks a Certificate of Lawfulness to extend on the ground floor at the rear of the dwelling, incorporating an existing ground floor extension to form a larger kitchen/dining room.

Consultations and Representations

Consultations/Comments

None

Third Parties

None received

Relevant Planning Policies and Guidance

Not applicable

Planning Assessment

This proposal falls under Class A of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (which came into force on 1st October 2008). The provisions of Class A which are relevant to this case are as follows:

Permitted development

A. **The enlargement, improvement or other alteration of a dwellinghouse.**

Development not permitted:

A.1 Development is not permitted by Class A if—

(a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(d) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

(e) 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;

(f) the enlarged part of the dwellinghouse would have more than one storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

(g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

(h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than one storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

(i) it would consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

In this case,

(a) while there is a detached garage and greenhouse in the rear garden, the total area of ground covered by buildings does not exceed 50% of the total curtilage;

(b) the height of the extension does not exceed the highest part of the house

(c) the extension is flat roofed and does not have eaves

(d) the extension is at the rear

(e) the extension is single storey and will extend beyond the rear wall of the original semi detached house by 2.99m and be 2.8m in height (NB the original

house has a stepped rear elevation but the extension will project less then 3m from the part of the original wall that it is being extended from).

(f) the extension is single storey only

(g) the extension is more than 2m from the boundary

(h) the extension is at the rear

Conditions: The architect has confirmed that the extension will be completed in materials of the same type and colour as those on the existing dwelling.

The roof extension will thus meet the provisions of Class A of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is therefore permitted development.

Recommendation

The Adur District Council hereby certify that on (date of decision) the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), and is APPROVED for the following reason: -

The proposed single storey rear extension constitutes 'permitted development' under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

'development' as defined by section 55 of the T+CP Act 1990 but is

First Schedule

Single-storey rear extension.

Second Schedule

52 Hawkins Road, Shoreham-by-Sea, West Sussex, BN43 6TH

Case Officer. [redacted]

Date. 1/10/09