Development Management - Delegated Officer Report

Application Number: **AWDM/0664/13**

Recommendation – Issue Certificate

Site: **30 Millcroft Avenue, Southwick**

Proposal: **Application for Lawful Development Certificate for proposed demolition of existing conservatory and construction of new conservatory**

Date of site visit: 30 July 2013

Neighbours checked: n/a

Additional neighbour notifications: n/a

Proposal, Site and Surroundings

The application site comprises a detached bungalow located on the east side of Millcroft Avenue. This is a predominantly residential area comprising mainly of a mix of detached and semi-detached bungalows. The site slopes from north to south.

A Certificate of Lawfulness is sought for a single storey conservatory that would replace and enlarge the existing lean-to structure at the rear of the bungalow. The conservatory would measure 3.2 metres in depth and 6.6 metres in width at its widest. The conservatory would have a lean to roof with its highest point level with the existing eaves.

Relevant site history
No relevant history.

Consultations
None

Representations
None

Planning Assessment
In this instance the relevant consideration is a matter of fact and law, rather than the planning merits of the proposal.

The planning history indicates that the house enjoys the benefit of permitted development rights.

Therefore the relevant test is whether the proposed extension meet the relevant criteria of Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

A.1 (a) The total area covered by buildings (excluding the original dwellinghouse) would not exceed 50% of the total curtilage;

(b) the height of the extension would not exceed the highest part of the existing roof;

(c) the height of the eaves would not exceed the height of the eaves of the existing house;

(d) the extension would not extend beyond a wall fronting the highway or forming the principal or side elevation of the original dwellinghouse;

(e) the proposed extension would be no more than 4 metres in depth and would not exceed 4 metres in height;

(f) the extension would not have more than one storey;

(g) the height of the eaves would not exceed 3 metres in height;

(h) the extension would not extend beyond a wall forming a side elevation;

(i) N/A

A.2 The site is not within a conservation area

A.3 (a) n/a
(b)n/a
(c)n/a

Recommendation

ISSUE CERTIFICATE for the reason:-

The proposed development, as shown on drawing number MD 01 entitled 'Conservatory' deposited 7 June 2013 complies with the provision for ‘permitted development’ by virtue of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development (Amendment) (No.2) (England) Order 2008

Is recommendation contrary to letter(s) of representation? N

Case Officer: Rebekah Smith Date: 13 August 2013

Authorised by: Peter Barnett Date: 13 August 2013