Development Management – Delegated Officer Report

Application Number: AWDM/1219/15 Recommendation – APPROVE

Site: 27 Manor Close, Southwick, Brighton

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

Date of site visit: 21.09.15

Neighbours checked: n/a

Additional neighbour notifications: n/a

Proposal, Site and Surroundings

The application property is a mid-terrace, two storey dwelling. The current application is seeking a Certificate of Lawfulness for a single storey rear extension with mono pitch roof. It is proposed to be 5.4 metres in depth and the full width of the property at 5.4 metres. The maximum height of the roof is 3.4 metres reducing to 2.4 metres. There is an existing lean-to extension which is to be removed. It is part tiled and part polycarbonate roof.

Prior to the submission of this application a decision was issued stating that prior approval was not required for the same proposal. The decision was dated 4th August 2015, under reference AWDM/0994/15. The decision states that the development shall be completed on or before 30th May 2019.

Following this decision the applicant has chosen to apply for a Certificate of Lawfulness. This is to provide the applicant with a formal determination that all aspects of the proposal comply with the GPDO, would therefore be lawful in planning terms and would not require planning permission.

Relevant Planning Policies

Not applicable

Planning Assessment

A. The single storey rear extension falls under Class A of part 1 of the Town and Country Planning (General Permitted Development) Order 2015. The provisions of Class A which are relevant to this case are as follows: -

(a) The house has not been granted permission to be used as a house by virtue of Class M, N, P or Q
(b) The total area of ground covered by buildings within the curtilage (excluding the original house) would not exceed 50%
(c) The extension will not exceed the highest part of the dwelling

(d) The height of the eaves will not exceed the eaves of the existing dwelling
(e) The extension does not extend beyond a wall which fronts a highway
(f) The extension extends beyond the rear wall of the dwelling by more than 3 metres. (The existing lean to extensions are to be removed.)
(g) It is before May 2019 and the extension does not exceed 6 metres in depth and does not exceed 4 metres in height.
(h) the extension would not have more than one storey.
(i) the extension is within 2 metres of the boundary but the eaves height will not exceed 3 metres (eaves height 2.4 metres.)
(j) the extensions is not at the side of the dwelling
(k) None of these provisions apply
Conditions: -

The external materials will match the existing house as confirmed on the application form.

A.4 further conditions apply in this case as this proposal exceeds 3 metres in depth from the original rear wall. Therefore the developer must comply with all conditions in A4. This has taken place in the form of the larger household extension application. It was concluded that on 4th August 2015 prior approval was not required. Therefore it is noted that in the light of this current application for a Certificate of Lawfulness then provided that the works are carried out in accordance with the above and prior to May 2019 then the Certificate can be issued on this basis.

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 192 of the Town and Country Planning Act 1990 (as amended), and is APPROVED for the following reason: -

Reason: -

The proposed single storey rear extension as shown on drawing nos

Block Plan received – 13th Aug 2015
Floor Plans and Elevations Drawing no. MC-01 – received 13th Aug 2015
Elevations and Photographs – MC-02 – received 13th Aug 2015

Constitutes ‘development’ as defined by Section 55 of the Act and is ‘permitted development’ under Class A of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015.

First Schedule

Single storey rear extension

Second Schedule

27 Manor Close Southwick

Case Officer: Hannah Barker
Authorised by: Jo Morin

Date: 29th September 2015
Date: 05.10.2015