

To:
Mr Cox
ASC Design services LTD
30 Wyndcliffe Road
Central Southsea
Southsea
PO4 0LA

For: Mr Cowley

Ref No.: APP/20/00199

**Town and Country Planning Act 1990: Section 191 and 192 (as amended by
Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (General Development Procedure) Order 1995
Article 24
REFUSAL TO GRANT CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

Havant Borough Council, as Local Planning Authority, **REFUSES** to certify that on 3rd March 2020 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged red on the Location Plan Drawing No. 05 received 04 March 2020 would be lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

The proposed single storey rear workshop is not considered to represent permitted development under the Town and Country Planning (General Permitted Development Order) 2015 (as amended). The development does not meet with the following criteria and is therefore not able to be carried out under permitted development and would require formal planning permission.

Under Schedule 2, Part 1, Class A the workshop to the rear of the property does not meet the following test:

(J) The enlarged part of the dwelling house would extend beyond a wall forming a side elevation of the original dwelling house and would - (iii) have a width greater than half the width of the original dwellinghouse-

This property is located within a Conservation Area (Article 2(3) land). Planning history of this property shows the study and two storey element to the North East not to be part of the original dwellinghouse. Therefore the rear workshop would extend beyond the side wall of the original dwellinghouse.

The materials to be used include metal clad walls and do not match those used on the original dwellinghouse, and this has been confirmed on drawing no 04 'proposed elevations' received on the 04.03.2020.

It is therefore considered that the workshop would not meet the requirements of Class A as the proposed workshop would have a width larger than that of the original dwellinghouse, would extend beyond a wall forming a side elevation of

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the original dwellinghouse and would be constructed of materials not matching those present on the existing dwellinghouse, therefore under the Town and Country Planning (General Permitted Development) (England) Order 2015 the works proposed would require formal planning permission.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

27 April 2020

FIRST SCHEDULE:

This certificate relates to the following development:

Application for Lawful Development Certificate relating to proposed single storey workshop to the rear of dwelling. as described in the written particulars, plans and other documents submitted with your application received on 03 March 2020.

SECOND SCHEDULE:

This certificate relates to land at Keepers House, Kingscroft Lane, Havant, PO9 3JE as shown edged red on the submitted Location Plan received 03 March 2020.

OTHER IMPORTANT INFORMATION:

- (1) Your attention is drawn to the attached information regarding your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision. See www.planningportal.gov.uk/pcs
- (2) In view of this refusal by the Council to grant the certificate applied for, the use/development specified above on land specified above may be liable to formal enforcement action under Section 172 of the 1990 Act unless it has the benefit of a separate and valid 'planning permission' for it under the same Act.