

Recommendation: **GRANT A CERTIFICATE OF LAWFUL USE**

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application is:

(i) Principle of development

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7.2 The proposal has been assessed against the 'Permitted Development' allowances in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7.3 The proposed development has been assessed against Part 1, Class A.

7.4 Under Class A the proposed single storey rear extension meets the following tests:

(a) Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (changes of use)

(b) The extension will not result in over 50% of the total area of the curtilage being covered by buildings (excluding the original dwellinghouse)

(c) The height of the extension will not exceed the highest part of the roof of the existing dwellinghouse

(d) The height of the eaves of the extension will not exceed the highest part of the eaves of the existing dwellinghouse

(e) The extension will not extend beyond a wall which forms either the principle elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original dwellinghouse (*note that whilst the rear extension would front a highway by virtue of the rear access road, nevertheless the wording of this clause only prevents side extensions that front a highway, not rear extensions.*)

(f) The extension will have a single storey and will not extend more than 4m from the rear wall of the existing dwellinghouse, nor will it exceed 4m in height

(g) Not relevant in this application as within permitted development limits

(h) Not relevant in this application as the extension is single storey

(i) Not relevant, the extension is not within 2m of the boundary

(j) The proposal does not affect the side elevation

(k) The proposal does not include the construction or provision of a veranda, balcony or raised platform; it does not include the installation, alteration or replacement of a microwave antenna; it does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or the alteration to any part of the roof of the dwellinghouse

7.5 A search of the planning history has not revealed conditions that restrict 'Permitted Development' rights, nor is the dwelling part of an Article 4 direction. Because no conditions have restricted the use of the integral garage, then its conversion to further habitable accommodation does not require planning permission.

7.6 The materials to be used are to match those used on the original dwellinghouse

8 Conclusion

- 8.1 The proposed development falls within permitted development regulations as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Therefore a Lawful Development Certificate can be issued.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/18/00396

Havant Borough Council, as Local Planning Authority, certifies that on 14 June 2018 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged in red on submitted Location Plan Drawing Ref 17123 - 101 (scale 1:1250) dated 11 April 2018 would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposed development falls within permitted development allowance as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

FIRST SCHEDULE:

This certificate relates to the following development:

Single storey rear extension as shown on submitted drawings: Location & block plan drawing ref 17123 - 101 dated 11 April 2018; Existing floor plans drawing ref 17123 - 201 dated 11 April 2018; Proposed floor plans drawing ref 17123 - 401 dated 11 April 2018; Existing elevations drawing ref 17123 - 301; Proposed elevations drawing ref 17123 - 501 dated 11 April 2018

SECOND SCHEDULE:

This certificate relates to land at Wallington, St Peters Road, Hayling Island, PO11 0RX, as shown edged red on the submitted Location plan drawing ref 17123 - 101 (scale 1:1250) dated 11 April 2018