
Site Address:	Longueville, Mill Lane, Langstone, Havant, PO9 1RX		
Proposal:	Application for certificate of lawfulness relating to proposed single storey rear extension.		
Application No:	APP/18/00173	Expiry Date:	04/04/2018
Applicant:	Mr Willitt		
Agent:	Hackett	Case Officer:	Karen Wooden
	Sussex Building Plans		
Ward:	St Faiths		

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

1 Site Description

Longueville is a large detached two storey dwelling located on the northern side of Mill Lane, which is a designated Conservation Area in Langstone, Havant. The property is mixed multi brick with a pitched tiled roof and UPVC fenestration, with a garage attached to the eastern elevation.

2 Planning History

00/65780/000 - Fell a Holly tree within Group I, fronting Longueville, Mill Lane subject to TPO1661., PERM,07/12/2000
00/65780/001 - Notification of intention to fell a Hazel tree in the frontage of Longueville, Mill Lane within Mill Lane conservation Area., RNO,01/12/2000
APP/10/00542 - Coppice 2No. Hazel trees; crown lift to 5m and crown reduce by 20% 1No. Holly tree; crown lift to 5m and crown reduce by 20% 1No. Bay tree; crown raise to 5m and crown reduce by 20% 1No. Bay tree; crown raise to 5m 1No. Yew tree; crown reduce by 20% 1No. Holly tree; crown reduce by 20% 1No. Bay tree; fell 1No. Bay tree; fell 1No. Fruit tree and fell 1No. Mountain Ash tree, all subject to TPO 1661., PERM,13/10/2010

3 Proposal

Section 192 application for a Lawful Development Certificate to establish whether the proposed single storey rear extension will be considered to be classed as permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015.

4 Legislation

Town and Country Planning (General Permitted Development) (England) Order 2015

5 Statutory and Non Statutory Consultations

None applicable for this application.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

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 are:

- (i) Whether the development would require planning permission

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

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
- (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) The extension is not located within 2m of the boundary. Notwithstanding this, the eaves height do not exceed 3m in height
- (j) The proposal will extend beyond a wall forming the side elevation of the dwelling, however the overall width of the extension (9.5m) does not exceed 50% of the total width of the original dwellinghouse (19m)
- (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.

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 so therefore I would recommend that this proposal would not require planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/18/00173

FIRST SCHEDULE:

This certificate relates to the following development:

Proposed single storey rear extension as described in the written particulars, plans and other documents submitted with your application received on 7 February 2018.

SECOND SCHEDULE:

This certificate relates to land at Longueville, as shown edged red on the submitted Block and Location Plans received 7 February 2018.

OTHER IMPORTANT INFORMATION:

- (1) This Certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended). It does not relate to any other application that may be required under any other part of the Town and Country Planning Act, the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) It certifies that the development specified in the First Schedule taking place on land described in the Second Schedule will be lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus will not be liable to enforcement action under section 172 of the 1990 Act on 9 March 2016.

- (3) The certificate only applies to the extent of the development specified in the First Schedule taking place on land described in the Second Schedule and identified on the attached plan. Any development which is materially different from that described or which relates to other land may render the owner/occupier liable to enforcement action under section 172 of the 1990 Act.
- (4) The effect of the certificate is also qualified by the provision in section 192(4) of the 1990 Act (as amended), which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matter relevant to determining such lawfulness.
- (5) Your attention is drawn to the attached information regarding your right to appeal to the Department for Transport Local Government and the Regions, if you are aggrieved by the Council's decision.
- (6) You are advised that consent may be required from Southern Water to build in the vicinity of a public sewer. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: - To ensure provision of a satisfactory development.