

Site Address: 3 Park Road, Hayling Island, PO11 0HT
 Proposal: Application for Certificate of Lawfulness for an existing ground floor rear extension and first floor dormer extension.
 Application No: APP/21/00773 Expiry Date: 25/11/2021
 Applicant: Mr D Rowland
 Rowland Construction
 Agent: Case Officer: Graham Speller
 Ward: Hayling West

1 Site Description

2 Planning History

3 Proposal

4 Policy Considerations

5 Statutory and Non Statutory Consultations

6 Community Involvement

Number of neighbour notification letters sent: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Two letters of representation (from one household) raising the following issues:

- Accuracy of plans
- Difference between 'proposed' plans and the works that have been carried out
- Changes to the character of the building
- Panels of UPVC cladding totally out of character with its neighbours

7 Planning Considerations

- 7.1 The development has been assessed against the 'Permitted Development' allowances in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 7.2 As noted above, the plans submitted with the application were inaccurate. Whilst the plans have been revised, they still do not accurately depict what has been built. In particular, the single storey rear extension projects rearwards more than what is shown on the elevations albeit the floor plans are more accurate. Notwithstanding, there are no specific validation requirements in this regard and there is sufficient information, and based on a site inspection, to make an assessment against the relevant criteria.
- 7.3 In addition to the above, the applicant has confirmed in writing that the single storey rear extension projects 3.3m and a site inspection showed this as approximately 3.4m.
- 7.4 The development has been assessed against Part 1 Classes A, B & C.
- 7.5 The single storey rear extension has been considered under Part 1 Class A. It does not meet criterion A.1 (f) (i) in that it extends beyond the rear wall of the original dwellinghouse by more than 3 metres.
- 7.6 The rear dormer window extension has been considered under Part 1 Class B. The volume of the dormer window extension is approximately 29.3 cubic metres and therefore complies with criterion B.1 (d) (ii). It is noted that the cladding material does not match the roof tiles, however, it would be of the same appearance as the cladding on the gable end. The Council has previously taken the view that this would comply with criterion B.2 (a).
- 7.7 The rooflights have been considered under Part 1 Class C and comply with the relevant criteria.
- 7.8 The other roof alterations would also comply with Part 1 Class C criteria.

8 Conclusion

- 8.1 There is sufficient evidence to show that the existing development does not constitute permitted development under Schedule 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This is because the

existing development does not satisfy criterion A.1 (f) (i) of Part 1 as it extends beyond the rear wall of the original dwellinghouse by more than 3 metres. Therefore, the existing development is not considered lawful and as such planning permission from the Local Planning Authority is required. Therefore, a Lawful Development Certificate cannot be issued.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE A CERTIFICATE OF LAWFUL USE** for application APP/21/00773 for the following reasons:

- 1 There is sufficient evidence to show that the existing development does not constitute permitted development under Schedule 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This is because the existing development does not satisfy criterion A.1 (f) (i) of Part 1 as it extends beyond the rear wall of the original dwellinghouse by more than 3 metres. Therefore, the existing development is not considered lawful and as such planning permission from the Local Planning Authority is required. Therefore, a Lawful Development Certificate cannot be issued.