
Site Address:	107 Cunningham Road, Waterloooville, PO7 5TZ		
Proposal:	Application for Lawful Development Certificate relating to single storey rear extension.		
Application No:	APP/16/00162	Expiry Date:	11/04/2016
Applicant:	Mr & Mrs Jones	Team:	Team 1
Agent:	Mr Ryder	Case Officer:	Stephen Andrews
Ward:	Stakes		

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

1 Site Description

The application site is made up of a two storey end of terrace house, located within a cul-de-sac of similar two storey terraced dwellings. There is off road parking to the front and a small single storey flat roofed store to the rear. Immediately to the rear of the site is public open space for recreational activity.

2 Planning History

GEN/15/00689 - Proposed alterations to existing rear doors., 02/07/2015 16:15:48

3 Proposal

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

The single storey rear extension would measure 2300mm in depth, 4175mm in width, 2554mm to eaves height and 3210mm to ridge height. The proposed materials would match those of the existing dwelling.

4 Legislation

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

5 Policy Considerations

None

6 Statutory and Non Statutory Consultations

None

7 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: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

8 Planning Considerations

8.1 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 be development allowed under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015.

8.2 The proposed development is for a single storey rear extension, as such it falls to be considered against The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1 - Development within the curtilage of a dwellinghouse, Class A - enlargement, improvement or other alteration of a dwellinghouse.

8.3 The proposal has been considered against the restrictions for development provided by A.1, the response to which are detailed below:

(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 3m from the rear wall of the existing dwellinghouse, nor will it exceed 4m in height

(g) N/A

(h) N/A

(i) Although the extension will be within 2m of the boundary of the curtilage, the eaves height will not exceed 3m

(j) N/A

(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

8.4 A3 - The plans submitted demonstrate that the conditions in A3 would be met.

8.5 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.

9 Conclusion

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. The Lawful Development Certificate should therefore be granted.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/16/00162

Havant Borough Council, as Local Planning Authority, certifies that on 15 February 2016 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 No: P-001) and Site Plan (Drawing No: P-002) 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

FIRST SCHEDULE:

This certificate relates to the following development:

Single storey rear extension, as shown on submitted drawings P-002, P-004 and P-005 received 15 February 2016.

SECOND SCHEDULE:

This certificate relates to land at 107 Cunningham Road, Waterloooville, PO7 5TZ, as shown edged red on the submitted Location Plan (Drawing No: P-001) received 15 February 2016.