
Site Address:	6 Greenfield Crescent, Waterloooville, PO8 9EH		
Proposal:	Application for Lawful Development Certificate relating to a timber cabin to rear of property.		
Application No:	APP/16/00522	Expiry Date:	06/07/2016
Applicant:	Mr Leaves		
Agent:		Case Officer:	Harriet Pitney
Ward:	Cowplain		

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

1 Site Description

The application site comprises a detached single storey dwelling with a tiled pitched roof and elevations of brick construction. The property is located within a generous plot on the south side of Greenfield Crescent, at its junction with Hazleton Way. The site is relatively level with open vehicular access to the front driveway and single storey garage to the rear.

The site has new panel fencing to a height of approximately 1.8 metres to the rear screening the application site from the public realm. The area is predominantly characterised by medium density residential development, although there is an area of amenity land opposite the front of the site.

2 Planning History

APP/13/00086 - Single storey front and rear extensions. New detached garage with gym, garage room, shower room and store to rear., PERM,15/03/2013

APP/14/01170 - Variation of Condition 2 of Planning Permission APP/13/00086 to allow a variation in the approved plans., PERM,08/01/2015 14:03:59

APP/15/00124 - Application for non material change to Planning Permission APP/14/01170 relating to revised positioning of rooflight., PERM,27/02/2015

3 Proposal

Section 192 application for a Lawful Development Certificate to establish whether the proposed timber cabin (to be sited to the rear of the garden) is permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015.

The timber cabin would measure an overall height of 4 metres, with an eaves height of 2.5 metres, 9.4 metres in length and 6.25 metres in depth. The proposed cabin will also have an area of decking with a maximum height of 0.3 metres.

The proposed development will be sited 2 metres away from any boundary.

4 Legislation

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

5 Policy Considerations

None

6 Statutory and Non Statutory Consultations

FAO Estates Manager, Corporate Group

Havant Borough Council does not own any land on or adjacent to the proposed development site. As such the Estates Team has no comment in respect of this application.

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

Summary: No objections received

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 as amended.

8.2 The proposed development is for a detached timber cabin to be sited immediately adjacent to the rear boundary of the site, 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 E- the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse.

8.3 The proposal has been considered against the restrictions for development provided by E.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,A,PA, or Q of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (changes of use).
- (b) The proposed outbuilding will not result in over 50% of the total area of the curtilage being covered by buildings (excluding the original dwellinghouse).
- (c) The outbuilding would not be sited on land forward of a wall forming the principal elevation of the original dwellinghouse.
- (d) The outbuilding would not have more than one storey.
- (e) The height of the outbuilding would not exceed 4 metres in height and would be sited 2 metres away from any boundary.
- (f) The height of the eaves would not exceed 2.5 metres.
- (g) The outbuilding would not be sited on land within the curtilage of a Listed Building.
- (h) The proposal does not include the construction or provision of a verandah, balcony or raised platform and does not relate to a dwelling or microwave antenna.
- (i) N/A

- 8.4 E.2- The property is not located within an area of outstanding natural beauty, the broads, a national park or a world heritage site.
- 8.5 E.3- The details submitted demonstrate that the outbuilding shall be used for a purpose incidental to the enjoyment of the dwellinghouse and shall not be used as a self contained unit of accommodation.
- 8.6 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.

8 **Conclusion**

The proposed development falls within Permitted Development allowance as set out in Schedule 2, Part 1, Class E 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/16/00522

Havant Borough Council, as Local Planning Authority, certifies that on 11th May 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 1.1250 and Site Plan 1.500 is 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 E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

FIRST SCHEDULE:

This certificate relates to the following development:

Detached timber cabin within rear garden, as shown on submitted drawings site plan

1.500, north elevation (drawing 1), east elevation (drawing 2), south elevation (drawing 3), west elevation (drawing 4) and floor plan (drawing 5) received 11th May 2016.

SECOND SCHEDULE:

This certificate relates to land at 6 Greenfield Crescent, Waterloooville, PO8 9EH, as shown edged red on the submitted Location Plan 1.1250 received 11th May 2016.