

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

None

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: 4

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) Order 2015.

The proposed alterations will be considered against Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) order 2015. The permitted development classes are written as to allow for all types of development described within the title of the Class unless the development would fall foul of the listed criteria. Therefore unless it is clear that a proposed development would fail to comply with the relevant criteria contained within a Class, the development should be held to constitute permitted development i.e the default position is permitted development, not the need for planning permission.

7.3 The proposal involves building an extension to the rear of No 8 at single storey and the development has been assessed against Schedule 2, Part 1, Class A.

7.4 **Under Schedule 2, Part 1, Class A:** Development is not permitted if:

b. as a result of the works, the total area of ground covered by buildings within the curtilage of the dwelling house (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). The development does not exceed this criteria.

c. the height of the part of the dwelling house enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwelling house. The development does not exceed this criteria.

d. the height of the eaves of the part of the dwelling house enlarged, improved or altered would exceed the height of the eaves of the existing dwelling house. The development does not exceed this criteria.

e. the enlarged part of the house would extend beyond a wall which i) fronts a highway, and ii) forms either the principal elevation or a side elevation of the original dwelling house. The proposed works are positioned to the rear of the

dwelling and would not front a highway nor project out from a principal elevation.

f. the enlarged part of the house would have a single storey and i) extend beyond the rear wall of the original house by more than 4m in a detached house and 3m in the case of any other type of house or ii) exceed 4m in height. The development does not exceed this criteria.

i. the enlarged part of the dwelling house would be within 2m of the boundary of the curtilage of the house and the height of the eaves of the enlarged part would exceed 3m. The proposed works are situated within 0.2m of the boundary curtilage but as the eaves of the enlarged part of the house does not exceed 3m the dwelling meets the criteria.

j. the enlarged part of the dwelling house would extend beyond a wall forming a side elevation of the original house and would i) exceed 4m in height, ii) have more than one storey, iii) have a width greater than half the width of the main house. The development is not positioned to the side and does not exceed this criteria.

k. it would include or consist of i) a balcony, veranda or raised platform, ii) microwave antenna, iii) chimney, flue or soil and vent pipe, iv) an alteration to any part of the roof of the dwelling house. The development does not include the mentioned.

A.3 (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. The materials used will be matching to No 8.

7.5 A search of the planning history has not revealed conditions that restrict 'permitted development rights'.

8 Conclusion

It is considered that there is sufficient evidence as detailed in the submitted documentation to prove that the proposed extension to the rear of No 8 would be permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 and accordingly the Certificate of Lawful Development can be issued.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/16/00884 as follows:

Havant Borough Council, as Local Planning Authority, certifies that on 22nd August 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 plan 'Block Plan' Drawing Ref: LUFFSALET 04 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 extension to the rear of No 8 Salet Way, Waterlooville, Hampshire, PO7 8QS would constitute permitted development by virtue of 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 at 8 Salet Way as shown on submitted drawings:

Design and Access Statement: Received 22.08.2016

Ordnance Survey Plan with Proposed Extension: Drawing Ref LUFFSALET 07

Ordnance Survey Plan with Proposed Extension at Smaller Scale: Drawing Ref LUFFSALET 06

Location Plan with Measurements: Drawing Ref LUFFSALET 05

Block Plan: Drawing Ref LUFFSALET 04

Proposed Floor Plan: Drawing Ref LUFFSALET 03

Existing and Proposed Elevations Plan: Drawing Ref LUFFSALET 02

Second Schedule:

This certificate relates to 8 Salet Way, Waterloooville, Hampshire, PO7 8QS as shown edged in red on the submitted 1:200 'Block Plan' received on the 22nd August 2016.