
Site Address:	Cherry Hinton, Manor Road, Hayling Island, PO11 0QH		
Proposal:	Application for Lawful Development Certificate relating to side extension (as built).		
Application No:	APP/15/00826	Expiry Date:	23/09/2015
Applicant:	Mr Porter	Team:	Team 2
Agent:	Mrs Grinstead	Case Officer:	Tina Pickup
	Your Home Plans Ltd		
Ward:	Hayling West		

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

1 Site Description

Cherry Hinton is a substantial detached dwelling located on the west side of Manor Road, just south of Brights Lane. It is white painted render with a high, fully hipped plain tiled roof and has an attached single storey pitched roof garage to the north, set back the full depth of the house. There is a dropped kerb and vehicular access from Manor Road with a front fence approximately 1.2m high. The highway verge is wide at this point with a grass verge in front of the house. The dwelling is set back some 11m within its own plot and is set in a line of 5 other more modest and lower, detached dwellings, all set in relatively close proximity to each other (separation distances of 3 - 4m).

To the rear of the site is a graveled access drive off Brights Lane that provides access to rear garages and parking for the adjacent dwellings but not the application site. A 1.8m close boarded fence provides the rear boundary treatment. Within the rear curtilage, on the northern boundary, is a long white painted render outbuilding that is shared with the dwelling to the north, Myrtleville House - i.e. the front/eastern half is within the application site and is the garage accessed off Manor Road; whilst the rear/western half belongs to Myrtleville House and is also a garage but accessed off the rear private gravel drive.

The dwelling itself has an approximate 'L' shaped footprint with an old conservatory in the recess in the south-west corner.

2 Planning History

APP/15/00183 - Two storey rear extension, single storey side extension, loft conversion and boundary walls. Permitted 22/04/2015

3 Proposal

Works commenced on site on the extensions approved under APP/15/00183 in July 2015 but the side garage was not being implemented in accordance with the approved plans. Subsequent site meetings with the applicants agent revealed that the single storey side extension was being built closer to the boundary and higher than approved, but within permitted development rights. Therefore this application has been submitted as a Lawful Development Certificate to verify that the single storey side extension as being built is lawful as permitted development.

The proposed side extension is to be built right up to the northern boundary with a parapet wall such that the maximum height will be 3m. All drainage/guttering will be boxed on the applicants side to avoid any overhang to the neighbours land. The side extension has a pitched roof with a maximum ridge height of 4m. The proposed materials match the existing ie white painted render.

4 Policy Considerations

Not relevant - this is a legal determination only

5 Statutory and Non Statutory Consultations

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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 of Schedule 2, Part 1, Class A in the Town and Country Planning (General Permitted Development) Order 2015. The proposed side extension has an eaves height of 3m and ridge height of 4m and does not project forward of the front elevation.

7.3 Therefore under Class A the side extension would meet the following tests:

- (a) The dwellinghouse is an original dwelling, not granted by a change of use
- (b) The side extension would not result in 50% or more of the ground area of the curtilage covered by buildings
- (c) The height would not exceed the highest part of the existing dwelling
- (d) The height of the eaves would not exceed the height of the eaves of the existing dwelling
- (e) The side extension would not extend beyond the principal elevation or front a highway
- (f) The side extension would not extend beyond the rear wall by more than 4m, or

exceed 4m in height

(g) Until 30th May 2019, for sites not on article 2(3) land, SSSI's, these dimensions are extended to 8m (subject to a notification procedure) - the side extension would not exceed this

(h) The side extension is single storey only

(i) The side extension is within 2m of the dwellinghouse but the height to parapet/eaves will not exceed 3m

(j) As a side extension the height would not exceed 4m, is single storey only and does not have a width greater than half the width of the original dwellinghouse

(k) It does not include the construction of a verandah, balcony or raised platform; a microwave antenna; a chimney, flue or soil vent pipe; or an alteration to the roof of the dwellinghouse.

The application site is not on article 2(3) land for the purposes of class A.2.

7.4 Class A also contains conditions at A3 that requires matching materials (which it does), and limits on upper floor windows and roofs when more than single storey (which is not relevant in this case).

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.

8 Conclusion

8.1 It is considered that the detailed plans provide sufficient evidence to prove that the single storey side extension addition is considered to be permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015. Accordingly the Certificate of Lawful Development can be issued.

9 RECOMMENDATION:

That the Executive Head of Planning and Economy be authorised to **Grant a Certificate of Lawful Development** for application APP/15/00826 as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1 'Development within the curtilage of a dwelling house', Class A.

Havant Borough Council, as Local Planning Authority, certifies that on 29 July 2015 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 'Location Map' Drawing No. 01 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 single storey side extension at Cherry Hinton, Manor Road, Hayling Island is 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 side extension, as shown on submitted plans 'Ground Floor'
Drawing No. A103 and Proposed Elevations Drawing No A102 received 24 July 2015.

SECOND SCHEDULE:

Cherry Hinton, Manor Road, Hayling Island, PO11 0QH, as shown edged in red
on submitted 1:1250 Site Location Plan.