



Havant
BOROUGH COUNCIL



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Mr A Carter
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Our Ref: GEN/14/00773
Direct Line: (023) 023 9244 6526
Ask For: Mr D Gender-Sherry
Email: planning.development@havant.gov.uk

29 July 2014

Dear Sir

Site Location: 46 Elm Park Road, Havant, PO9 2AD

Re: Request for confirmation that works completed on property are within the bounds of permitted development.

I am writing to you further to your enquiry received on the 28 July 2014 and to our subsequent correspondence regarding the above address.

Further to our email communications today I have now had the opportunity to discuss this enquiry with a colleague and can advise of the following.

On the basis of the information received I am of the understanding that you consider the rear wall of the original outbuilding (as permitted by permission 15481/3) to be the 'original wall' of the dwellinghouse for the purposes of planning. If this is the case, I must bring to your attention the information provided by the Department for Communities and Local Government document 'permitted development for householders technical guidance'. This document explains that the measurement taken from the rear elevation of the dwellinghouse to the rear of the extension is taken from the part of the rear wall immediately opposite any part of the extension. The consequence of this is that if a wall is stepped then the relevant measurement is taken from the original wall opposite to that part of the extension. Please see page 16 of this document for clarity. This document can be viewed at the following site:

http://www.planningportal.gov.uk/uploads/100806_PDforhouseholders_TechnicalGuidance.pdf

The reason why I mention the above is that the plans submitted with the original GEN/10/00400 (received by the Council 02/07/10) show the original 'shed' structure being extended sideways from the existing outbuilding. The rear of this side addition element would therefore need to be measured from the rear wall immediately opposite which is the rear wall of the main dwellinghouse; this measurement is over the permitted 3metres depth. For this reason I am of the opinion that planning permission would be required.

Notwithstanding the above comments I note from the photograph supplied today showing the completed extension and the rear of the dwellinghouse, that part of the extension's roof/guttering appears to project beyond what appears to be the boundary of your property. Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) only permits development within the curtilage of a dwellinghouse and therefore extending beyond the boundaries of your property would result in the development requiring planning permission. This would include any part of the development including guttering and foundations.

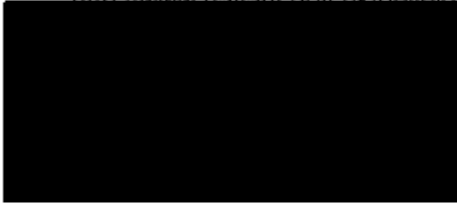


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Please note that the above comments are the opinion of the Enquiry officer and do not represent a formal determination by the Council as to whether the erection of the rear extension was lawful. If you require a formal determination you should apply for a lawful development certificate. Details of which can be found here:

<http://www.bayport.gov.uk/development-control/planning-application-forms-and-guidance-not>



of the above then please contact me.

This advice also only relates to planning matters, and does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.

Yours faithfully

Mr D Gender-Sherry
Enquiry Officer
Our Ref: GEN/14/00773

