
Site Address:	8 Bramley Close, Waterlooville, PO7 7SU		
Proposal:	Application for Lawful Development Certificate relating to the removal of existing conservatory to be replaced with brick built extension to north elevation.		
Application No:	APP/14/00442	Expiry Date:	20/06/2014
Applicant:	Mr Parsons	Team:	Team 2
Agent:	Mrs Grinstead	Case Officer:	Bee Crawford
	Your Home Plans Ltd		
Ward:	Waterloo		

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

1 Site Description

- 1.1 The property is a modern detached 2 storey dwelling and attached flat roofed garage with a driveway to the side on a level site. It has a pitched roof with grey tiles and elevations of red multi-brick with green tile hanging at first floor level to the front. The front garden has grass, shrubs and a concrete path to the west of the property leading to the rear garden. There is a dwarf wall to the front boundary, with a 1.5 metre high hedge and shrubs to the eastern boundary and a 0.5 metre high open wire fence to the western boundary. The rear garden is of a reasonable size with a patio area, lawn and shrubs. There is an open 1 metre high wire fence to the eastern and western boundaries, which also has a section of 2 metre high hedging. Part of the northern boundary has a 2 metre high fence and shrubs, but there is a section which is open to the side aspect of the rear garden of 1 High Trees which is at a lower level to the application site.
- 1.2 To the east of the property is a modern detached 2 storey dwelling of a similar age, style and design and to the west is an extended modern detached 2 storey dwelling of a similar age, style and design. The side aspect of the large rear garden of a property in High Trees is to the north and opposite the site is a modern detached 2 storey dwelling on a corner plot. The area is of medium density consisting of modern 2 storey detached dwellings of different designs but of a similar age and style, with an east/west incline to Bramley Close.

2 Planning History

None relevant to this application.

3 Proposal

- 3.1 Section 192 application for a Lawful Development Certificate to establish whether the proposed single storey rear extension to be classed as permitted development under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, which is an amendment to the Town and Country Planning (General Permitted Development) Order 1995.

4 Legislation

Town and Country Planning (General Permitted Development) (Amendment)
(England)

Order 200 brought into effect on 1 October 2008, which is an amendment to the Town and Country Planning (General Permitted Development) Order 1995.

5 Statutory and Non Statutory Consultations

None required.

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: 0

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 1995 (As Amended). Of most relevance is Amendment No.2 England October 2008 and Technical Guidance on Permitted Development for Householders released by the Department of Communities and Local Government in August 2010.

7.3 The development has been assessed against Part 1 Class A.

7.4 Under Class A the extension to the rear of the property meets the following tests:

- (a) Would cover less than 50% of the curtilage
- (b) Height would not exceed height of the highest part of the existing dwellinghouse
- (c) Existing eaves height would not be exceeded
- (d) The extension would not front a highway and does not form the principal or a side elevation of the original dwellinghouse
- (e) The extension is single storey and would not project more than 4 metres beyond the rear wall of the original dwellinghouse (detached dwelling) and would not exceed 4 metres in height
- (f) The extension would not be two storey
- (g) The extension falls within 2 metres of the boundary, but the eaves height does

- not exceed 3 metres
- (h) The extension does not extend beyond a wall forming a side elevation of the original dwellinghouse
- (i) The extension would not include the construction of a verandah, balcony or raised platform, the installation alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or an alteration to any part of the roof of the dwellinghouse.

7.5 A2 - The extension would not be on Article 1(5) land

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

It is therefore considered that the single storey rear extension would meet the requirements of Part 1 Class A.

7.6 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.

It is therefore considered that the rear extension would meet the requirements of Class A.

8 Conclusion

8.1 It is considered that there is sufficient evidence as detailed in the submitted documentation to prove that the addition of a single storey rear extension is considered to be classed as permitted development under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, Part 1 'Development within the curtilage of a dwelling house', Class A.1.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to Grant a Certificate of Lawful Development for application APP/14/00442 subject to the following condition (a) as set out in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, Part 1 'Development within the curtilage of a dwelling house', Class A.2.

a) the materials used in any exterior work (other than those used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.