
Site Address:	26 Westfield Avenue, Hayling Island, PO11 9AG		
Proposal:	Application for Certificate of Lawfulness relating to a single storey extension to the east elevation		
Application No:	APP/13/00939	Expiry Date:	13/11/2013
Applicant:	Dr Ansari	Team:	Team 2
Agent:	Mr Dennett	Case Officer:	Jenna Shore
	Suburban Studios		
Ward:	Hayling West		

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

1 Site Description

- 1.1 26 Westfield Avenue, Hayling Island, PO11 9AG

2 Planning History

04/69002/002

Two storey side extension to east elevation. (resubmission)
Withdrawn. 23/12/2004

04/69002/001

Two storey side extension to east elevation. (resubmission)
Withdrawn. 18/06/2004

03/69002/000

Two storey extension to east elevation and new vehicular access to Westfield Avenue.
Withdrawn. 22/01/2004

3 Proposal

- 3.1 Section 192 application for a Lawful Development Certificate to establish whether the proposed single storey extension to the east elevation is considered to be classed as permitted development under the Town and Country Planning (General Permitted Development) Order 2008 (as amended).

4 Legislation

- 4.1 Town and Country Planning, General Permitted Development (Amendment) (England) Order No.2 brought into effect on 1 October 2008.

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: 24

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the requirements of the General Permitted Development Order as amended 1995 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 single storey extension to the east elevation would meet the following tests:

(a) The works would not result in 50% of the total area of the curtilage being developed

(b) No part of the works would exceed the height of the highest part of the roof of the existing dwellinghouse

(c) No part of the works would exceed the eaves of the existing dwellinghouse

(d) No part of the works would extend beyond a wall which

(i) fronts a highway, and

(ii) forms either the principal elevation or the side elevation of the original dwellinghouse

(e) The works would be single storey but would not

(i) extend beyond the rear wall of the dwellinghouse by more than 3 metres,

(ii) exceed 4 metres in height

(f) No part of the works would have more than one storey

(g) No part of the works would exceed 3 metres to the eaves and be within 2 metres of a boundary

(h) No part of the works would

(i) exceed 4 metres in height,

(ii) have more than one storey, or

(iii) have a width greater than half the width of the original dwellinghouse

(i) No part of the works includes

(i) the construction or provision of a veranda, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse

7.5 Under the Conditions of Class A.3, the proposal meets the following tests:

- (a) The agent has confirmed in an email received to the Council 11th November 2013 that the proposed materials are to appear similar to that of the existing dwelling
- (b) There are no upper floor windows
- (c) The works are single storey and have a similar roof to that of the existing dwelling.

8 Conclusion

- 8.1 Under Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2008 (As Amended) it is considered that the proposed single storey extension to the east elevation is within the Permitted Development tolerances. Planning Permission is not required.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to Grant a Certificate of Lawful Development for a single storey extension to the east elevation at 26 Westfield Avenue, Hayling Island application APP/13/00939 subject to the following conditions as set out in the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Part 1 - Development within the curtilage of a dwellinghouse. Class A.3

- a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan drawing number AS 001 received by the Council 18th September 2013

Existing elevations drawing number AS 003 received by the Council 18th September 2013

Proposed south elevation drawing number AP 003 received by the Council 18th September 2013

Proposed east and north elevation drawing number AP 002 received by the Council 18th September 2013

Existing floor plan drawing number AS 002 received by the Council 18th September 2013

Proposed ground floor and roof plan drawing number AP 001 received by the Council 18th September 2013

Planning statement received by the Council 18th September 2013

Reason: - To ensure provision of a satisfactory development.