

26, Westfield Avenue, Hayling Island , Hants

Planning Statement to accompany Certificate of Lawful Development application

Notwithstanding the unusual configuration this is a house and enjoys the permitted development allowances as set out in the Town & Country Planning (General Permitted Development) Order, as amended.

The following is a commentary as to the relationship of the proposal to the allowances as set out in Class A of the schedule and as interpreted by the DCLG document 'Permitted Development for Householders' (2010).

It is considered that the elevation from which the proposal would extend is a side elevation. Our view is formed by the comment on p.22 of the Technical Guidance that a side elevation is: *'A wall forming a side elevation of a house that cannot be identified as being a front wall or a rear wall.'* In our view it is plain that this is the case (n.b. were the LPA to consider this a rear wall some forms of two storey extension may be permitted development).

Class A

- (a) less than 50% of the curtilage is covered.
 - (b) The height of the existing roof is not exceeded.
 - (c) The proposed eaves are below the existing eaves.
 - (d) The enlargement is not to a wall fronting a highway.
 - (e) The proposal neither extends beyond a rear wall or exceeds 4m. in height.
 - (f) The proposal is not more than 1 storey in height.
 - (g) The proposal is within 2m of the boundary but its eaves do not exceed 3m.
 - (h) The proposal extends a side elevation of the original dwellinghouse, but the extension does not exceed 4m high; does not have more than one storey and is less than half the width of the original house. (*'The width of the original house should be calculated at its widest point'*- Technical Guidance).
 - (i) The proposal does not consist of or include: veranda, balcony, raised platform, microwave antenna or chimney flue, soil or vent pipe.
- Whilst the proposal abuts the extant roof it does not 'alter' any part of that roof.

Class B

Whilst Class A refers to *'alterations'* to the roof, Class B refers to *'..an addition or alteration to its roof.'* It is recognised that a small part of the proposal is an addition to the roofspace, however it does not:

- (a) Exceed the height of the existing roof
- (b) Extend beyond the plane of a roof slope forming the principal elevation of the house and fronting a highway.
- (c) Exceed 40 cu. m. (actual volume 8.5 cu.m.)
- (d) Include a veranda, balcony raised platform, chimney, flue, vent or soil pipe.
- (e) The dwellinghouse is not on article 1(5) land

With regard to the conditions for Class B it is not '*practicable*' (c) for the extension eaves to be within 20cm of the existing eaves. It is fairly obvious from the illustrations in the Technical Guide that the scenario envisaged is a roof extension above the existing roof plane, not below it as here. Condition (c) is ostensibly applicable. As the proposed ground level windows do not overlook any other premises a grant of the certificate would be likely to be followed by an application to relax the condition.